

Item No. 3

**TO:** City Plan Board **Date:** May 20, 1999

**FROM:** Planning Division Staff

**SUBJECT:** Petition 212LUC-98 PB. Phil Emmer/Rory Causseaux, agents for Susan C. Glikes. Amend the City of Gainesville Future Land Use Map of the Comprehensive Plan 1991-2001 from SF (single-family, up to 8 units per acre) to PUD (planned use district) on 19 acres to allow the following uses: commercial, office, residential and open space development. Located in the 4200 block of Newberry Road.

Recommendation

Planning Division staff recommends approval of Petition 212LUC-98 PB, subject to the attached conditions of approval.

Explanation

The 19-acre subject property is on the south side of Newberry Road, north of University Avenue, east of NW 44<sup>th</sup> Street, and west of the Westside Baptist Church. Except for a single-family house at the northwest corner of the property, the site is undeveloped and wooded. The applicant proposes to change the land use designation of the property from Single Family (up to 8 units per acre) to Planned Use District so that the property can be developed as an exemplary mixed use project consisting of commercial, office, residential and open space. The proposed mix of uses and recommended conditions of approval meet the requirements for Planned Use District land use which "is created to allow the consideration of unique, innovative or narrowly construed land use proposals that because of the specificity of the land use regulations can be found to be compatible with the character of the surrounding land uses and environmental conditions of the subject land. Each adopting PUD overlay land use designation shall address density and intensity, permitted uses, traffic access and trip generation, environmental features and buffering of adjacent uses."

The subject property is currently zoned RSF-1 (3.5 units per acre), as are the adjoining properties to the east, south and west, which also have corresponding Single Family land use. Properties to the south and west are developed with single-family houses, and the property to the east is developed as the Westside Baptist Church (land use and zoning changes to Office and General office district are pending). To the north across Newberry Road are properties with Mixed Use Medium Intensity (14-30 units per acre) land use and Corporate Park (CP) zoning, and with Residential Low Density (up to 12 units per acre) land use and RSF-4 (8 units per acre) zoning. The CP-zoned property is at the intersection of NW 43<sup>rd</sup> Street and is the site of the Millennium Bank (three-story building to include bank, medical offices, and Gresham Drugs) that is presently being built. The RSF-4 property east of the Millennium Bank property is the site of Holy Faith Catholic Church, which is undeveloped along its Newberry Road frontage.

The applicant proposes a mixed use development with three zones of development that decrease in intensity from Newberry Road southward through the site (see attached "Design Map" from application). The proposed five-acre "Highway Frontage" zone along Newberry Road would have a street-oriented, mixed-use character, allowing commercial (including sit-down eating establishment), office and residential use. This zone of mixed uses along this important corridor is convenient to and supportive of nearby residential, corporate park and other uses in the area, and will have multi-modal accessibility. The eight-acre "Center" zone is also mixed-use, with both office and 24-46 residential units (townhouses, condominiums, and apartments). The six-acre "Buffer" zone furthest from Newberry Road is restricted to landscape buffers, preservation, stormwater management, and passive recreation (such as unpaved trails, picnic tables, etc.). These restrictions within the Buffer zone affect approximately one-third of the subject 19-acre property and will serve to protect both the environment and surrounding residential development.

The proposed density and intensity parameters for the mixed-use development are as follows:

**DENSITY and INTENSITY**

<b>Zone</b>	<b>Permitted Uses</b>	<b>Density</b>	<b>Intensity</b>
Highway Frontage	Commercial		46,000 sf maximum
	Office		70,000 sf maximum
	Residential	Zero unit minimum 20 units maximum	
Center	Office		40,000 sf maximum
	Residential	24 units minimum 46 units maximum	
Buffer	Landscaping buffers, Preservation, Stormwater management, Passive recreation (e.g., unpaved trails, picnic tables)	Zero residential units allowed	Zero commercial or office sf allowed
<b>Totals</b>	N/A	24 units minimum	46,000 sf maximum commercial
		66 units maximum	110,000 sf maximum office

Of the proposed office use, up to 50,000 sq. ft. of the maximum 110,000-sq. ft. will be for medical office use. Within the commercial category, restaurant use will be limited to sit-down eating establishments that may serve breakfast, lunch, dinner and may include a bar area for serving food and alcoholic beverages.

The applicant is proposing buffering in considerable excess of usual code requirements along the western and southern edges of the property (see attached Design Map). A minimum 25-foot landscape setback will be provided along the NW 44<sup>th</sup> Street frontage, except at any pedestrian and vehicular access points. Where the property line jogs east from NW 44<sup>th</sup> Street and then south to the southernmost property line, a minimum 50-foot landscaped buffer will be provided adjacent to the single-family homes fronting NW 44<sup>th</sup> Street. Within 270 feet of the southernmost property line, only the uses defined for this six-acre "Buffer" zone will be allowed, i.e., landscaping buffers, preservation, stormwater management, and passive recreation (such as unpaved trails, picnic tables, etc.).

The subject property is wooded and is predominantly a deciduous forest. Various heritage trees are on site. The applicant has stated that "heritage trees illustrated on the attached site map (see Existing Conditions map, attached) and any other healthy heritage trees located on-site... to the greatest extent practical and possible, will be retained, ensuring preservation and beauty of the property." The applicant has also stated that the upland area in the extreme southwestern portion of the subject property will be preserved as part of the buffer system.

The property slopes from north to south and has an overall grade change of approximately 60 feet. Water flow follows the general north-south gradient, and the flow becomes more concentrated in the southern portion of the site in a one-half-acre "wetland" area (this may be only a depressional area, rather than a wetland) that receives the majority of the runoff from the 19-acre property. The wetland area extends beyond the southern property line, into a pond area located south of the adjacent single-family parcel. Water flow from the pond area eventually reaches Clear Lake, which is to the south and southwest of the subject 19-acre property.

The stormwater management facility for the proposed development will be located within the 6-acre "Buffer" zone, most probably in the southeastern portion of this zone. The "wetland" area will be preserved to ensure that there will be no net loss of wetland area or function. Any excess runoff (or pre-development rates and volumes) from the stormwater management facility will be released to the on-site wetland area.

The predominant soil type on the site is Blichton Sand, 2 to 5 percent slopes (Soil Survey of Alachua County, USDA – Soil Conservation Service, 1985). This soil is a poorly drained soil on gently rolling uplands. Wetness, mainly from hillside seepage, is the major problem with respect to urban development, and a good drainage system is needed to remove excess water during wet periods and to adequately control the water table. Another soil, Arredondo Fine Sand, 0 to 5 percent slopes is located at the northwestern corner of the site. This well-drained soil has only slight limitations for urban development (USDA-SCS, 1985).

### **Consistency with the Goals, Objectives and Policies of the Comprehensive Plan**

The proposed Planned Use District (PUD) provides an innovative use of land through a mix of residential, commercial, office and open space. The proposed mix of uses and recommended conditions of approval meet the requirements as stated in Policy 2.1 of the Future Land Use Element for PUD land use which "is created to allow the consideration of unique, innovative or narrowly construed land use proposals that because of the specificity of the land use regulations can be found to be compatible with the character of the surrounding land uses and environmental conditions of the subject land. Each adopting PUD overlay land use designation shall address density and intensity, permitted uses, traffic access and trip generation, environmental features and buffering of adjacent uses." The recommended conditions of approval provide both for compatibility with adjoining single-family uses and with the mixed commercial/office and low-density residential uses across Newberry Road.

The proposed PUD exemplifies infill development and is consistent with the City's goals for infill and redevelopment. Future Land Use Element Objective 2.4 states that:

Redevelopment shall be encouraged to promote urban infill, improve the condition of blighted areas, to reduce urban sprawl and foster compact development patterns.

The proposed PUD because of its location along a major corridor and its mix of uses, is conducive to mass transit use and pedestrian mobility. It is at the southeastern edge of the

corporate park activity center and is relatively close to other major employment centers, including the University of Florida, major hospitals, Oaks Mall, and downtown Gainesville. Two transit routes serve this location: Route 5, currently with 30-minute headways; and Route 43, currently with one-hour headways. The proposed PUD is consistent with Objective 1.2 of the Transportation Mobility Element, which states that:

The City shall coordinate the transportation network with the Future Land Uses shown on the Future Land Use Map Series in order to encourage compact, energy efficient development patterns and to provide safe and convenient multi-modal access for work, school, shopping and service-related trips, to protect the cultural and environmental amenities of the City, and to protect the integrity of the Florida Intrastate Highway System.

### **Analysis of the Need for Additional Land**

Given the development trends along this important corridor, single-family development of this relatively large property at this prime, "close-in" at this location is not practical. The trend is clearly for more office use in this area, as evidenced by the continuing demand both within the corporate park to the north and northwest, across Newberry Road, and on the pending Office land use change at the adjacent Westside Baptist Church property. These increases in office use in this area represent an increased demand for retail uses, including restaurants, to serve the proposed office land use. The proposed commercial use component will help meet the needs of both employees and residents in the vicinity of the proposed development.

The proximity to nearby and relatively nearby employment centers and activity centers, in combination with viable and adjacent mass transit services, make this property very well-located with respect to the residential use component (applicant envisions townhouses, condominiums, and apartments) of the proposed mixed-use development. Residential demand is high for areas such as this that are reasonably proximate or otherwise easily accessible (especially by mass transit) to major employment centers.

### **Site Location relative to Adjacent Uses and Similar Uses**

The site adjoins single-family development on two sides. The substantial buffer requirements for the pertaining southern and western borders of the property were previously described. The applicant has agreed to limit uses adjacent to NW 44<sup>th</sup> Street to office and residential. The applicant has stated that there will be no direct vehicular access to the site from any local residential street other than NW 44<sup>th</sup> Street. The applicant has agreed to change the requested number of vehicular points from two to one along NW 44<sup>th</sup> Street. This change will reduce vehicular impact upon the single-family residences that adjoin NW 44<sup>th</sup> Street. The applicant has also agreed to provide a public sidewalk along NW 44<sup>th</sup> Street at the time the applicant improves NW 44<sup>th</sup> Street to City standards. NW 44<sup>th</sup> Street improvement will precede any connection to the subject property from NW 44<sup>th</sup> Street.

The adjoining Westside Baptist Church site (Single Family land use, Office land use pending) to the east will be buffered by a minimum 10-foot-wide landscape buffer, except at pedestrian and

vehicle access points. The applicant proposes one joint-shared access to Newberry Road (joint drive with Westside Baptist Church at common property line location). A joint access agreement will be required.

The 1,000-ft. (approx.) frontage along four-lane arterial Newberry Road is across both from the three-story Millennium Bank building (bank, medical offices, and Gresham Drugs) being constructed on property with Mixed Use Medium Intensity land use, and from undeveloped (Residential Low Density land use) frontage of the Holy Faith Catholic Church. The applicant has proposed a minimum 25-foot landscape setback along Newberry Road, except at pedestrian and vehicular access points. Setbacks along Newberry Road, an intensifying, major city corridor will be established at the time of future rezoning to PD (Planned Development).

### Impact on Adopted LOS standards

There are presently no additional trips available on this section of Newberry Road. Approval of the Planned Development (PD) zoning for this property (which is required within one year of approval of the PUD or else the land use reverts to the underlying Single Family category) and subsequent development of the property will only be possible if the proposed Transportation Concurrency Exception Area is finally approved. The applicant would then have to meet applicable TCEA requirements to be granted a concurrency exception. Staff recommends that any increase in restaurant use beyond the 6,000 sq. ft. shown in Table 2 of the application would require a decrease in the maximum commercial sq. ft. (Table 1 of application) that is equal to the additional trips generated by the increase in restaurant use.

Two transit routes (5 and 43), as previously described presently serve this site. Water and sewer services can be made available to serve the site. There is sufficient landfill capacity to serve the proposed development, which must arrange for private waste services for non-residential components, and for City of Gainesville solid waste services for residential components.

Land use amendments are not required to meet concurrency requirements and do not vest for concurrency, which will be determined at the time of any future re-zoning to PD. PD zoning must be in place within one year of establishment of PUD land use, or the PUD land use reverts to the pre-existing Single Family land use.

### Applicant Information

Phil Emmer/Rory Causseaux, agents for Susan C. Glikes.

### Request

Amend Future Land Use Map from Single Family (up to 8 units per acre) to Planned Use District.

### Existing Land Use Plan Classification

SF

### Existing Zoning

RSF-1

### Purpose of Request

Amend the future land use category from Single Family to Planned Use District to create a planned

use district with office, commercial, residential, and open space components.

**Location**

4907 and 4927 NW 43rd Street.

**Size**

19 acres (approximately)

**Existing Use**

Vacant and Residential

**Surrounding Land Uses**

**North**

Bank/medical offices/drugstore, church (undeveloped portion of site faces Newberry Road)

**South**

Single-family dwellings

**East**

Church

**West**

Single-family dwellings

**Surrounding Controls**

**Existing Zoning**

**Land Use Plan**

**North**

CP, RSF-4

MU-M, RL

**South**

RSF-1

SF

**East**

RSF-1

SF (OF pending)

**West**

RSF-1

SF

**Impact on Affordable Housing**

This petition will have no impact on the provision of affordable housing.

Respectfully Submitted,



Ralph Hilliard  
Planning Manager

RH: DM

Attachments

### CONDITIONS OF APPROVAL

1. A planned development zoning ordinance consistent with the planned use district must be adopted by the City Commission within one year of the effective date of the land use change. If the aforesaid zoning ordinance is not adopted within the one year period, then the overlay district shall be null and void and of no further force and effect and the Future Land Use Map shall be amended accordingly to the appropriate land use category upon proper notice. The planned development zoning ordinance shall specify allowable uses and design standards generally consistent with traditional neighborhood design principles.
2. The planned development zoning ordinance shall provide a uniform signage plan for the planned use district.
3. All wetland areas must be identified by the appropriate water management district before any final development orders will be issued. The removal, fill or disturbance of wetlands shall be in accordance with the requirements of the St. Johns River Water Management District and the City's Comprehensive Plan. All development on the site shall be consistent with Article VIII, Environmental Management, of the City's Land Development Code.
4. A master stormwater management plan shall be prepared and approved by the City's Public Works Department for the entire planned use district prior to the issuance of any final development orders.
5. Except as may be established and shown for good cause by the owner/developer and then provided in the planned development zoning ordinance, all sidewalks shall be five-foot minimum in width. A pedestrian network consisting of sidewalks shall be provided on all internal streets. Sidewalk connections shall be made from the internal sidewalk system to the public sidewalk. All retail/commercial uses shall be interconnected by safe pedestrian/bicycle connections.
6. The planned use district shall maximize cross-access vehicle and pedestrian/bicycle connections between uses and shall maximize pedestrian safety and comfort.
7. A traffic study shall be provided by the owner/developer as part of the application for the planned development rezoning in order to determine trip generation and trip distribution to and from the development for the purpose of concurrency.
8. The planned use district land use category does not vest the development for concurrency. The owner/developer is required to apply for and meet concurrency management certification requirements, including transportation mitigation if necessary, at the time of application for planned development rezoning.

9. The density and intensity of the property shall be as follows:

<b>Zone</b>	<b>Permitted Uses</b>	<b>Density</b>	<b>Intensity</b>
Highway Frontage (5 acres)	Commercial		46,000 sf maximum
	Office Residential	Zero unit minimum 20 units maximum	70,000 sf maximum
Center (8 acres)	Office Residential	24 units minimum 46 units maximum	40,000 sf maximum
	Landscaping buffers, Preservation, Stormwater management, Passive recreation (e.g., unpaved trails, picnic tables)	Zero residential units allowed	Zero commercial or office sf allowed
<b>Totals</b>	N/A	24 units minimum 66 units maximum	46,000 sf maximum commercial 110,000 sf maximum office (of which 50,000 sf maximum can be medical office)

10. The buffer and setback requirements are as follows:

- a) A minimum 25-foot landscape setback shall be provided along the NW 44<sup>th</sup> Street frontage, except at any pedestrian and vehicular access points. This setback shall be from the east edge of the sidewalk to be constructed by the developer. Where there is no sidewalk, this setback shall be from the straight line that is an imaginary extension of the east edge of the sidewalk.
- b) Where the property line jogs east from NW 44<sup>th</sup> Street and then south to the southernmost property line, a minimum 50-foot landscaped buffer shall be provided adjacent to the single-family homes fronting NW 44<sup>th</sup> Street.
- c) Within 270 feet of the southernmost property line, only the uses defined above for the six-acre Buffer zone will be allowed, i.e., landscaping buffers, preservation, stormwater management, and passive recreation (such as unpaved trails, picnic tables, etc.).
- d) A minimum 10-foot landscaped buffer shall be provided along the east property line of the property, except at any pedestrian and vehicular access points.
- e) Additional buffer and setback requirements will be established at the time of planned development rezoning.



11. Development adjacent to NW 44th Street shall be limited to office and residential uses.
12. There shall be only one direct access point along Newberry Road.
13. The development shall seek a joint access agreement with the property owner to the east (Westside Baptist Church site) for access to Newberry Road from a joint drive at the common property line location.
14. There shall be only one vehicular access point from NW 44th Street.
15. The development shall protect all environmentally significant wetlands, heritage trees, and endangered plants and animals that may be on the site, in accordance with applicable local, State, and federal laws and regulations.

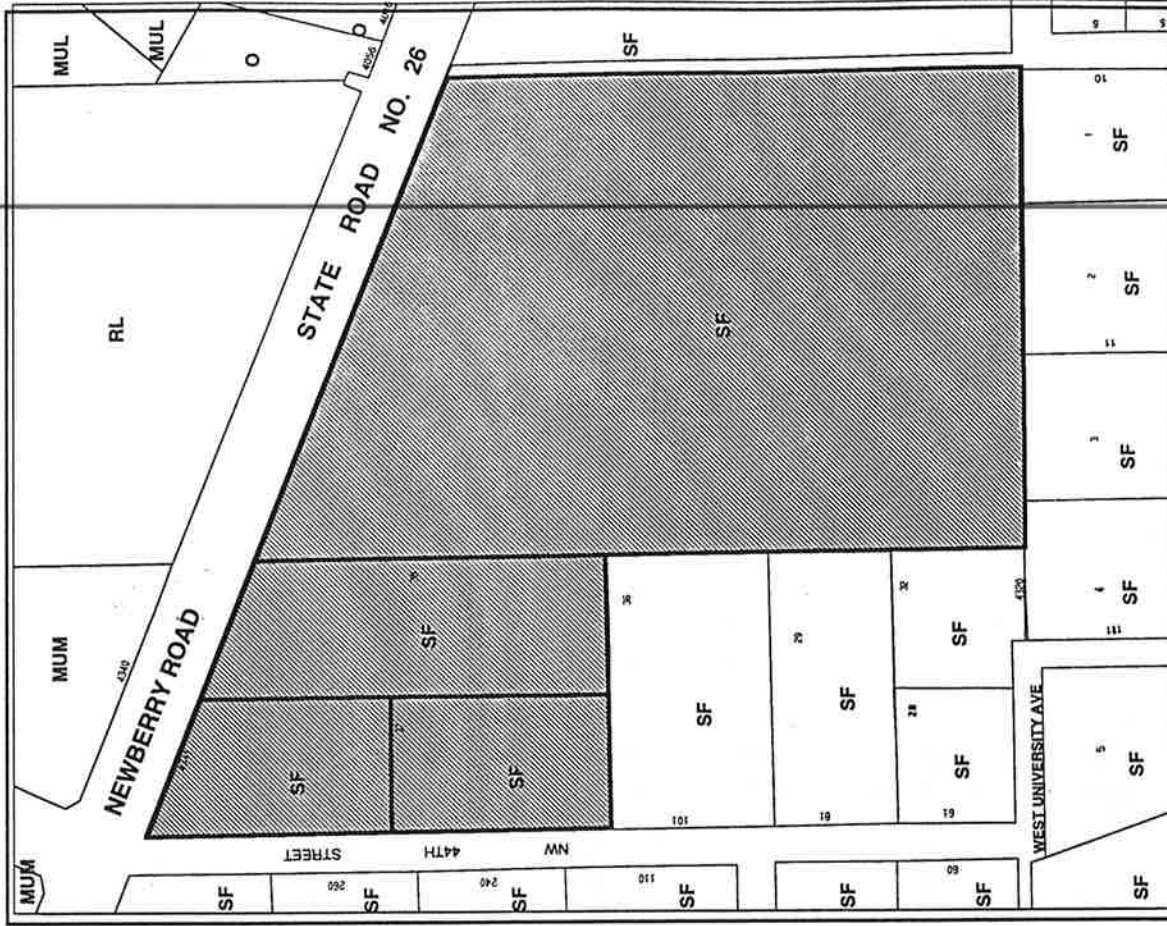


# Land Use Designations

- SF Single Family (up to 8 units/acre)
- RL Residential Low Density (up to 12 units/acre)
- RM Residential Medium Density (10-30 units/acre)
- RH Residential High Density (21-100 units/acre)
- MUR Mixed Use Residential (up to 75 units/acre)
- MUL Mixed Use Low Intensity (10-30 units/acre)
- MUM Mixed Use Medium Intensity (14-30 units/acre)
- MUH Mixed Use High Intensity (up to 150 units/acre)
- O Office
- C Commercial
- IND Industrial
- E Education
- REC Recreation
- CON Conservation
- AGR Agriculture
- PF Public Facilities
- PUD Planned Use District

--- Division line between two land use districts  
 — City Limits

Area under petition consideration

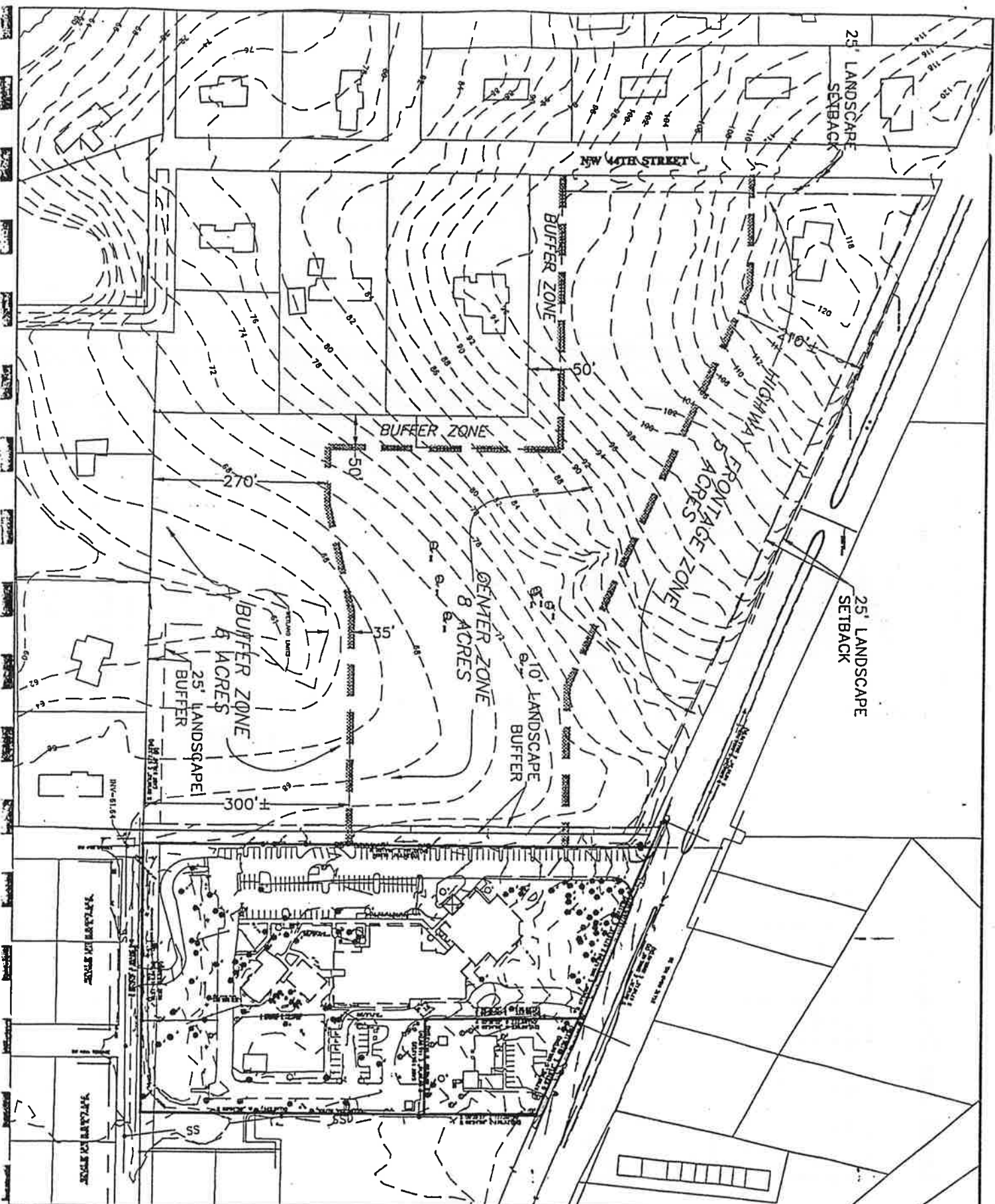


# LAND USE

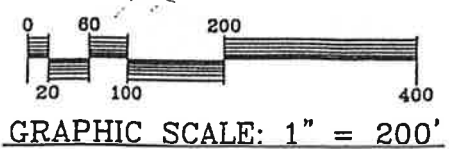
Name	Petition Request	Map(s)	Petition Number
Agent, Phil Emmer / Rory P. Causseaux	From SF to PUD	3943 3944	212 LUC-98PB

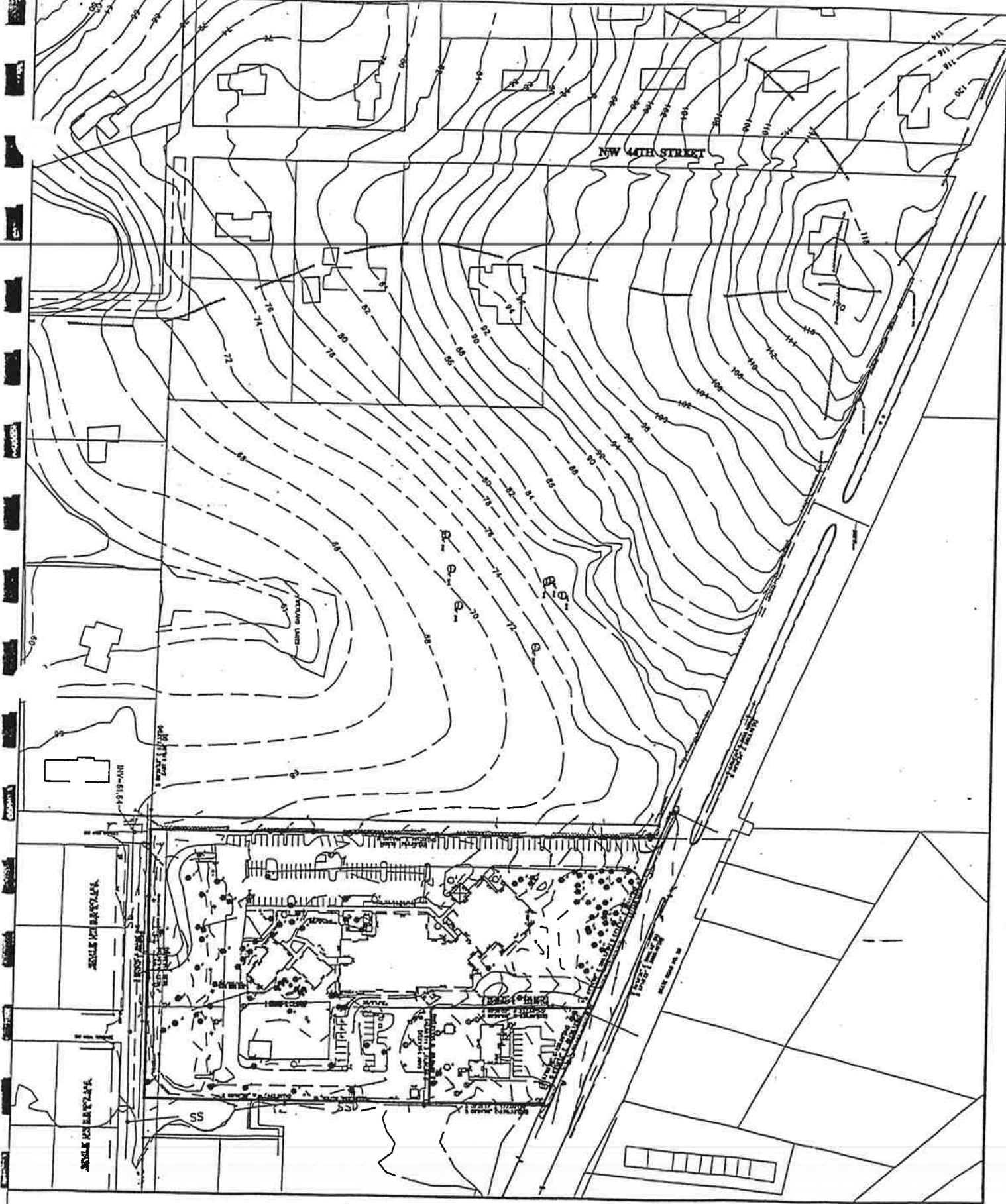


No Scale

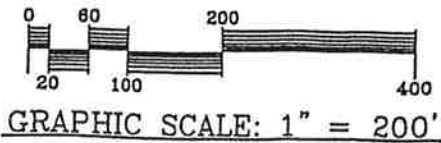


# DESIGN MAP





# EXISTING CONDITIONS MAP





3. **Petition 212LUC-98 PB** Phil Emmer/Rory Causseaux, agents for Susan C. Glikes. Amend the City of Gainesville Future Land Use Map of the Comprehensive Plan 1991-2001 from SF (single-family, up to 8 units per acre) to PUD (planned use district) on 19 acres to allow the following uses: commercial, office, residential and open space development. Located in the 4200 block of Newberry Road.

Mr. Ralph Hilliard was recognized. Mr. Hilliard requested that persons wishing to speak on the petition fill out a card so the meeting could proceed in an orderly manner.

Mr. Dean Mimms was recognized. Mr. Mimms presented a map of the site and described it and the surrounding uses in detail. He presented photos of the property. He explained that the petitioner was proposing a mixed-use Planned Development of decreasing intensity in three zones. He described the intensity and uses of the proposed zones noting that six acres to the rear of the site was to be a buffer restricted to uses such as stormwater management, preservation or passive recreation. Mr. Mimms pointed out that the petitioner was proposing landscape buffer zones that were in excess of the requirements of the Code. He discussed the requirements of the Code regarding Planned Development, and noted that staff had placed numerous conditions on the petition. He described the property as heavily forested and sloping to the south. He noted that there were several depressions on the site that might be wetlands and sinkholes. Mr. Mimms indicated that all stormwater flow off the property was subject to all of the applicable stormwater requirements of the City and State. He explained that drainage from the site was a significant issue in development of the property. Mr. Mimms stated that the application was consistent with the Comprehensive Plan with regard to the definition of Planned Use District and represented infill in the urban area which met Future Land Use Objective 2.4. and 1.2 of the Transportation Mobility Element. Mr. Mimms stated that with regards to Level of Service Standards, there were no trips available on Newberry Road for the application to proceed. He indicated that the Comprehensive Plan Amendment for the project did not vest or approve any concurrency and a PD rezoning would have to occur within a year for any development to take place. He discussed the Transportation Concurrency Exception Area proposals which would allow mitigation for development under certain conditions. He reiterated that land use amendments were not required to meet concurrency stipulations and did not vest any site for that concurrency. Mr. Mimms reviewed staff's recommended conditions for approval. He concluded his presentation and offered to answer any questions from the board.

Chair Guy called for questions from the board.

Dr. Fried indicated that staff's presentation did not make it clear whether the development would have the maximum number of commercial, office and residential units permitted by the land use. He asked if it was possible to place the maximum allowed units on the site.

Mr. Mimms indicated that it was possible.

Dr. Fried asked about proposals for the sinkholes on the property.

Mr. Hilliard suggested that the petitioner would be able to answer the question.

There was discussion of the topographic map provided in the board's packets.

*These minutes are not a verbatim account of this meeting. Tape recordings from which the minutes were prepared are available from the Community Development Department of the City of Gainesville.*

Mr. Jeff Braswell, agent for the petitioner, was recognized. Mr. Braswell indicated that he would be presenting three witnesses to talk about the project. He stated that the petitioner would continue to work with the neighbors in the development on the site. He explained that the plan had been developed with input from City staff and the petitioner had agreed with staff's proposals. He described the decreasing intensity of proposed development as it approached the residential area. Mr. Braswell noted that it was unique that six acres of the site had been proposed as a buffer. He stated that the development was professional and not student oriented as had been suggested. He indicated that the proposal was consistent with the adopted Comprehensive Plan. He pointed out that, under the existing land use designation, the Comprehensive Plan would allow the extremely dense development of 152 single-family residential units on the site. He suggested that 152 units would have much more impact on the surrounding neighborhoods than the proposed development. Mr. Braswell indicated that the proposed project utilized the site to its maximum potential. He discussed the standard of the Comprehensive Plan as it applies to the proposed project.

Mr. Rory Causseaux, engineer for the project, was recognized. Mr. Causseaux pointed out that the proposed land use change would become the foundation for future decisions about the site. He noted that the Comprehensive Plan clearly laid out requirements for changes. He discussed the Comprehensive Plan requirements for a Planned Use District and how those requirements applied to the proposed mixed-use development. Mr. Causseaux reviewed aspects of the plan including decreasing intensity south from Newberry Road, permitted uses, and minimum and maximum square footage in each zone. He noted that the minimums and maximums were comparable to the existing zoning on the site. Mr. Causseaux discussed road access, sidewalks, cross-access agreements, trips generated by the development, buffers and setbacks. Using a map, he described the topography, geology and drainage of the site. He explained that, at the present time, most of the runoff from the site went into Clear Lake. He indicated that when the site is developed, the excess runoff from the site would follow the same drainage patterns. He explained that some of the neighborhoods around the site were developed before the stormwater management was in place and all discharged to Clear Lake without treatment. Mr. Causseaux stated that, if the site were developed as proposed or as a single-family residential project, stormwater management would be required. He discussed the proposed location of the stormwater management area and how it would function. He noted that the site of the proposed stormwater management area did not have the hardwood canopy that pervaded the remainder of the site. He pointed out the area of the sinkholes on the site and explained that they would either be filled or isolated from development. Mr. Causseaux agreed that there were many trees on the site and the Land Development Code specified how those trees were to be dealt with. He pointed out that there would be far less control over disposal of the heritage trees if the property were to be developed as single family homes. He noted that, if a heritage tree was located in the building area of a single-family lot there were no restrictions on its removal. He discussed the provisions for endangered plants on a development site. Mr. Causseaux stated that the petitioner understood staff's position and the conditions placed on the project and would comply with those conditions. He offered to answer any questions from the board.

Chair Guy called for questions from the board. There were none.

Mr. Billy Brame, architect for the project, was recognized. Mr. Brame explained that the plan before the board was conceptual and presented, in numbers, what could possibly happen on the site. He presented a conceptual drawing of the project and explained that the design would be traditional. He discussed general



proposals for the buildings and how they would function. Mr. Brame offered to answer any questions from the board.

Chair Guy called for questions from the board. There were none.

Ms. Laura McGriff, agent for the petitioner, was recognized. Ms. McGriff discussed the six acre buffer area on the south side of the site. She indicated that the petitioner would either donate it to the City, maintain it as a buffer or deed it to the homeowners association. Ms. McGriff discussed the history of Emmer Developments construction in the community. She requested that the board approve the petition.

Chair Guy opened the floor to public comment. He requested that persons restrict comments to five minutes.

Ms. Maggie Morse, 516 SW 40<sup>th</sup> Street, was recognized. Ms. Morse requested that the board deny the petition. She cited concerns about the loss of habitat for birds in the area.

Ms. Jenny Streiff, 81 NW 44<sup>th</sup> Street, was recognized. Ms. Streiff cited the lack of City services in the area and indicated that any development to the north of her property impacted it significantly. She discussed drainage and flooding problems in the area and how the proposed development would exacerbate those problems. She pointed out that there was no specific site plan presented. She requested that, if the site were developed, as much residential area as possible be placed adjacent to existing residential areas.

Ms. Susan Wright, 105 SW 42<sup>nd</sup> Street, was recognized. Ms. Wright stated that she was president of the Sugarfoot Community Improvement Association. She requested that she be allowed more than five minutes since she would be speaking for several people present. She indicated that many people present were there to show support for the neighborhood. She requested that persons opposed to the petition stand. Ms. Wright stated that the Association found the proposal incompatible with the neighborhoods surrounding the site because of the proposed use, density and intensity. Ms. Wright cited a concern about an increase in rentals to students, commercial establishments such as bars, traffic, urban flight by families, protection of heritage trees and sinkholes on the site. She cited significant concerns about drainage and flooding in nearby neighborhoods. She pointed out that there were potential sites for offices nearby and those sites should be utilized. Ms. Wright indicated that various members of the neighborhood would discuss various problems associated with the proposal.

Ms. Dorothy Zimmerman, 3806 SW 3<sup>rd</sup> Avenue was recognized. Ms. Zimmerman indicated that she opposed the petition. She cited concerns about the incompatibility with the surrounding neighborhoods. She pointed out problems with the types of soil on the site that contributed to flooding, pollution and contamination of the aquifer. She presented photos of some of the sinkholes on the site. Ms. Zimmerman cited policies of the Comprehensive Plan in her presentation.

Ms. Betty Bergdoll, 3725 SW 6<sup>th</sup> Place, was recognized. Ms. Bergdoll stated that the proposed development was incompatible with the adjacent neighborhood. She cited concerns about the overloading of traffic capacity on Newberry Road. She also cited concern about the safety of children crossing Newberry Road on their way to their zoned school and flight of families from the neighborhood.

Mr. Michael Whiting, 3909 SW 1<sup>st</sup> Avenue, was recognized. Mr. Whiting stated that he opposed the proposed development because it was incompatible with the adjacent neighborhoods. He cited concerns about the impact of runoff to nearby homes that are in the 100 year flood plain. He discussed berms constructed to prevent flooding which was not always effective and proposed retention basins for the development site.

Ms. Gladys Clark, 4680 Clear Lake Drive, was recognized. Ms. Clark cited concerns about the impact of runoff from the proposed development site on the environmental stability of Clear Lake. She suggested less intensive development for the site. She cited the Stormwater Management Policies of the Comprehensive Plan. She pointed out that there were no detailed proposals presented for drainage of the proposed development.

Mr. Bruce Jennings, 3746 SW 5<sup>th</sup> Place, was recognized. Mr. Jennings stated that he opposed the development request because it was incompatible with the adjacent neighborhoods and the characteristics of the site. He cited concerns about increased noise generated by the proposed uses.

Ms. Julia Goady, 32 SW 42<sup>nd</sup> Street, was recognized. Ms. Goady stated that the proposed development would promote flight and instability in the neighborhoods adjacent to it. She cited concerns about incompatible uses, traffic on access roads, noise, and the intensity and density of the development. She suggested that the development did nothing to protect the neighborhood.

Mr. James Darcy White, 417 SW 40<sup>th</sup> Terrace, was recognized. Mr. White stated that he opposed the development request because it was incompatible with the existing neighborhoods around it. He cited incompatibility with the natural characteristics and topography of the site. He suggested that the development created an intense activity. He discussed the unique urban forest on the property.

Mr. John Mahon, 4129 SW 2<sup>nd</sup> Avenue, was recognized. Mr. Mahon stated that Plan Boards and Commissions had, in the past, rejected proposals to use the site for offices. He suggested that there was not enough interest in protection of existing neighborhoods around the site. He suggested that the empty Scotty's building across Newberry Road would be a better development site.

Ms. Beverly Hill, 3826 SW 5<sup>th</sup> Place, was recognized. Ms. Hill requested that the site be preserved in its natural state if possible. If that were not possible, she requested that it be of a lower intensity and density with uses that did not negatively impact the adjacent single-family neighborhoods and incorporated preservation of the natural features of the site. She suggested that more detail should be provided in the land use change request.

Mr. Michael Reiskind, 213 SW 41<sup>st</sup> Street, was recognized. Mr. Reiskind stated that he was speaking on behalf of his parents who were out of town. He stated that they opposed the development of the site and wished it preserved.

Ms. Paula McCarty, 115 SW 43<sup>rd</sup> Terrace, was recognized. Ms. McCarty cited concerns about the degradation of the quality of life in the neighborhoods and maintenance of stable communities. She indicated that she also had concerns about the quality of Clear Lake. Ms. McCarty requested that the board deny the petition.

Mr. Paul Urone, 3726 SW 6<sup>th</sup> Place, was recognized. Mr. Urone noted that there was a possibility that the property in question might be developed into a preservation area by the State. He cited the need to keep the area as single family.

~~Ms. Nancy Gildersleeve, 3755 SW 3<sup>rd</sup> Place, was recognized. Ms. Gildersleeve stated that she would like to see the property preserved as a park. She cited concerns about the loss of trees and the intensity and density of the development. She suggested that there be a guarantee that the trees would be saved.~~

Chair Guy pointed out that all development had to meet state and local regulations with regard to trees.

Mr. Hilliard discussed the applicable laws and regulations of the Land Development Code. He noted that wetlands were protected. She cited concerns about traffic, student rentals and flight of families.

Ms. Susie Lyons Censale, 7011 SW 46<sup>th</sup> Avenue, was recognized. Ms. Censale cited concerns about the forested area of the site. She agreed with the comments of other speakers and suggested that the services to be offered by the commercial areas of the site were already available within half a mile of the site. She urged the board to deny the petition.

Mr. Arthur F. Camp, Jr., 115 SW 42<sup>nd</sup> Street, was recognized. Mr. Camp suggested that the project would overload the capacity of the infrastructure in the area. He cited concerns about stormwater drainage and flooding. He requested that the board consider the cost to the City if the problem was not addressed.

Mr. Milton Banks, 526 SW 41<sup>st</sup> Street, was recognized. Mr. Banks discussed flooding on Clear Lake and cited concerns about additional development. He suggested that the area should be preserved for a park.

Mr. Max Langham, 106 SW 38<sup>th</sup> Street, was recognized. Mr. Langham stated that he was opposed to development of the property. He cited concerns about the trees.

Mr. Rick Du Boisson, 31 SW 43<sup>rd</sup> Terrace, was recognized. Mr. Du Boisson stated that he was concerned about runoff from the site. He noted that flooding was a serious problem at the present time and the requirements of the Land Development Code were not sufficient for the area.

Mr. Harold Graybill, 412 NW 46<sup>th</sup> Street, was recognized. Mr. Graybill noted that it had been stated that the residential areas would not be for students. He pointed out that there was not a way to prevent students from living in any residential projects.

Mr. Alan Henderson, 4561 Clear Lake Drive, was recognized. Mr. Henderson indicated that his home had been flooded in the past. He cited concerns about more flooding, heritage trees, traffic, student rentals, and commercial development.

Mr. Michael Wohl, 3849 W. University Avenue, was recognized. Mr. Wohl cited concerns for property values and student rentals.

Ms. Marion Van Alstyne, 315 SW 42<sup>nd</sup> Street, was recognized. Mr. Alstyne cited concerns about flooding.

*These minutes are not a verbatim account of this meeting. Tape recordings from which the minutes were prepared are available from the Community Development Department of the City of Gainesville.*

Ms. Marion Van Alstyne, 315 SW 42<sup>nd</sup> Street, was recognized. Mr. Alstyne cited concerns about flooding.

Ms. Elizabeth Haines, 3758 SW 2<sup>nd</sup> Place, was recognized. Ms. Haines cited concerns about flooding and proper drainage and the paved area of the development.

Mr. Bob Epting, 1418 NW 51<sup>st</sup> Terrace, was recognized. Mr. Epting stated that he had spoken to an official from the St. John's River Water Management District and none of the petitioner's representatives had contacted them for a pre-application meeting.

Chair Guy closed the floor to public comment. He called for comment from the board.

Dr. Fried asked if staff had any knowledge of the proposal to make the site into a City park.

Mr. Hilliard stated that staff did not. He explained that other staff was working on the project and the City Attorney had instructed the different departments not to converse on the proposal.

Dr. Fried noted that, while the project was dependent on the passage of the proposed Transportation Concurrency Exception Area, once the land use was changed, it might be difficult to return it to its original state. He suggested that approving the petition before the concurrency issue was resolved was premature. He cited a concern about drainage, noting he was aware of flooding in the area in the past. He noted that there was no detailed explanation of how the petitioners proposed to deal with runoff from the site. Dr. Fried stated that he intended to vote against the petition because of his concern for traffic and drainage.

Mr. Carter pointed out that the land use change was only the first step in the process of determining what type of development would be placed on the site and that was the reason there were so many unanswered questions about the project. He stated that the Land Development Code and state regulations were more stringent today than they were even ten years ago. Mr. Carter pointed out that the concerns about the site would come up regardless of the type of development proposed. He suggested that it was typical for neighbors to oppose a project when it involved a piece of property that had been enjoyed by everyone for a long time. He noted that, while there had been talk of making the site a park, every infill project in the City of Gainesville could become a park, even if the funding was available. Mr. Carter stated that he could support the project. He indicated that he believed that the project was proper use of infill in the city and the concerns voiced could be dealt with in the process of development. Mr. Carter suggested that the development would help prevent urban sprawl by providing housing and services for people who live in the area. He pointed out that the property would eventually be developed in some fashion and the proposed development could be the lesser of evils. Mr. Carter explained that, if the site were developed as residential, it could be of a higher density than proposed by the petitioner and the buffers would not be as great. He pointed out that residential development would not offer as great a protection for heritage trees as other types construction. Mr. Carter stated that he could support the petition.

Mr. McGill stated that he was pleased to see involvement in the process by the neighbors living around the site. He agreed that the issues discussed were of great importance. He stated that he had concerns about the concept of mixed use development. He noted, however, that the property owners had rights to develop their property. Mr. McGill stated that it was the responsibility of the City Planning Department, the City Commission, the Plan Board and the rules and regulations governing land use to be sure that the site is not

needed to be a balance of those rights. Mr. McGill indicated that the traffic problems would be same whether the site was developed or not and infill property should be encouraged. He suggested that opponents might win the battle but loose the war because fifty-seven houses could be placed on the site and most of the trees cut without the land use change. Mr. McGill further suggested that a residential development would be of a bigger danger to the stability of the neighborhood than the one proposed. He gave examples of ~~abandoned properties and blighted areas and compared those areas to the Scotty's across the road from the~~ proposed development. He cited a concern about the proliferation of drive-through drugstores in Gainesville. Mr. McGill stated that, while he believed the property would be developed, he could not support the petition. He suggested that the petitioner and nearby property owners should meet and try to agree on a project that could be developed successfully. He further suggested that, while the residents of the area might hope the site would become a park, it might not be possible. Mr. McGill stated that there were too many questions about the site and the proposed development to allow him to support the petition with the information presented.

Chair Guy stated that the board was looking at a land use change and not the development itself. He explained that it was the charge of the Plan Board to look at the petition on the merits of that land use change and not as a development review. He agreed with both Mr. McGill and Mr. Carter that the residential development that could presently take place without any land use change could have far greater impact on the neighborhood than the project proposed by the petitioner. Chair Guy pointed out that a Planned Development would allow flexibility for staff to provide more input and review any project more stringently than any individual parcel developed for single-family use. He agreed that, while runoff was an issue, the law required that a development retain stormwater which might help the neighborhoods with the problem of flooding. He requested confirmation from staff on the issue.

Mr. Mimms stated that the predevelopment level of runoff from the site had to be maintained.

Chair Guy indicated that, while he supported the project in concept, he could not support it in particular as it was presented to the board.

<u>Motion By:</u> Mr. McGill	<u>Seconded By:</u> Dr. Fried
<u>Moved to:</u> Deny Petition 212LUC-98 PB.	<u>Upon Vote:</u> Motion Carried 3-1 Yeas: McGill, Guy, Fried Nays: Carter

□□□□□



# Sugarfoot Community Improvement Association

May 20, 1999

City Of Gainesville Plan Board  
Dept. of Community Development - MS12  
PO Box 490  
Gainesville, Fl 32602

RECEIVED

MAY 20 1999

PLANNING  
DIVISION

Plan Board Members:

I am writing on behalf of the Sugarfoot Community Improvement Association to state our opposition to Land Use Change Petition #212LUC-98PB and to ask that you deny this request.

The Association finds this proposed project incompatible with the characteristics of the site due to the proposed density and intensity; and incompatible with our adjacent neighborhoods due to the proposed density, intensity and use.

This project proposes a "village center" concept. A village center that is geared toward student rentals, and contains commercial establishments with late night operating hours and a bar, does not serve as an amenity to our single family neighborhoods.

This proposed project will primarily serve the new residents of the apartments proposed for the site. It will indeed bring a number of apartment dwellers, likely UF students, into close proximity of the university. It will also bring an additional 4,335+ car trips daily to our only access road which is currently at capacity. It does not serve to enhance the lives of the existing residents of the nearby single family neighborhoods, many of whom have invested decades of their lives in these neighborhoods. This project will degrade the quality of the single family life in this area and will increase urban flight by families from a university context area single family neighborhood. It will serve to bring in rental residents at the cost of driving away the family homeowner residents.

There is a very real concern regarding increased flooding within the neighborhoods to the south. There simply isn't enough room on this property to protect the many heritage trees, the sinkholes and the listed plant species that occupy this site given the proposed intensity and density of the development. The proposal does not acknowledge the presence of karst activity on the site and indicates an under-appreciation for the presence and diversity of heritage trees on the site.

The project proposal refers to this site as a unique opportunity. In fact, the site is not unique in terms of location for the proposed uses; a list of available sites within 1 mile of the proposed site is attached. It is, however, unique in terms of its urban forest and its natural characteristics. In-fill should first make use of the existing vacant or underutilized improved sites before removing natural areas that cannot be

replaced once gone.

Does this proposal seek an appropriate site for an identified development need? Or, does it seek a development need for an identified site? The series of vastly different development ideas and proposals from the developer for this site clearly indicates the latter. This current proposal tells us there is a development need for additional commercial & office space yet there is no lack of nearby opportunities.

The neighborhood association has done considerable research into this site and proposal. It was the neighborhood who identified the wetland, karst activity and heritage trees on the site. And it has the neighborhood who has insisted that these be addressed by the development proposals which have been submitted without adequate consideration for these features. The issues we bring to your attention for consideration include:

- Soil Type & Sinkholes
- Capacity of Newberry Rd
- Runoff and Flooding in the Sugarfoot Neighborhoods
- Impact of Runoff on Clear Lake, Gywnn Oaks Pond
- Incompatibility with Character of Adjacent Neighborhoods
- Degradation to Adjacent Single Family Neighborhood & Promotion of Urban Flight
- Incompatibility with Characteristics of Site
- Infill

### **Soil Type & Sinkholes**

The soil and karst activity on this site make the proposed intensity and density unsuitable for the site. The site contains 3 sinkholes located in the center zone and possibly 1 in the highway frontage zone of this proposal. (See attached map #1) Three of these are somewhat shallow and appear as depressions of up to 6ft in depth. The largest sinkhole is 20ft deep and 22ft across with exposed limestone. We have information that the pattern of these sinkholes suggest an active karst system below this site as indicated in the attached report by Robert Simons on this property.

This site is also listed as a high recharge area of 12+ to the Floridan Aquifer on the Recharge Area Maps of Floridan Aquifer as verified by Dan Boniol, hydrologist with the Saint John's River Water Management. The sinkhole is a breach to the aquifer protection and a highly vulnerable conduit for pollution and contamination to the aquifer as verified by Mr. Boniol. Policy 1.1.6 of the Future Land Use element and policy 2.3.6 of the Conservation/Open Space/Groundwater Recharge element call for the protection of high aquifer recharge areas through regulation of development.

Proposed development of this site should clearly indicate how the sinkholes and karst system will be dealt with. The proposal does not show adequate protection nor appreciation for the existence of these features particularly in light of the density proposed. It is questionable whether developer and engineer possessed adequate knowledge of the inherent limitations of this site at the time this density was proposed. We believe the proposed density and intensity will cause significant harm to the natural features of this site.



All but a small portion of this site consists of Blichton Sand soil type as stated in the development proposal. The proposal however omits the following from its description of this soil type. From the Alachua County Soils map description:

“This soil has severe limitations for urban uses, including absorption fields for septic tanks, dwellings, small commercial buildings, sewage lagoons, trench landfills, and roads and streets. Wetness, which is mainly caused by hillside seepage, is the major problem.”

Objective 1.6 of the Future Land Use Element states that “Land use designations shall be coordinated with soil conditions and topography.”

### Capacity of Newberry Road

The segment of Newberry Road at which this site is located is at its maximum rated capacity with no available trip slots left. Access to the Sugarfoot neighborhoods of Anglewood, Holley Forrest, Gwynn Oaks, Clear Lake and Fletcher Heights is solely from Newberry Rd. That it is at maximum capacity is quite apparent to our residents and many other residents of Gainesville around 5pm each weekday. It is often difficult and even dangerous to cross Newberry Road via bike or foot. This is most especially true for our children when crossing Newberry Rd in order to bike to their zoned school, Westwood Middle, or to Westside Park. The new Royal Park theaters currently under construction will increase the desire to cross this road via foot or bike from our neighborhood.

The proposed development states that it will add between 4,335 and 5,264 car trips in an average 24-hour period to this road. It is likely that a large percentage of these trips will be to or from the east, thereby further exacerbating an existing congestion and capacity problem in the proposed one-way pair area of University Avenue.

The proposed development states that it will serve as in-fill by locating higher density rental residences near the area employment centers, namely UF. While it would no doubt place a large number of apartment residents near UF, it will also serve to further encourage the flight of single families from single family neighborhoods such as ours due to the intrusion of less desirable living conditions for single families. Placing next to us higher density & intensity uses that will generate traffic choking our primary access road only discourages single family residents from living in our single family neighborhood. Although an exact count has not been done, we estimate 2/3 or more of our residents are currently affiliated with UF or the medical center. This neighborhood already serves to place a population close to the university thereby meeting Transportation element objective 1.2, Housing Element goal 2 and Future Land-use Element goal 2 and objective 2.1.

That the intensity and density of this development is too high is evident in the car trips it will generate on a road already at capacity. If additional offices, restaurants, commercial stores or apartments are needed in this area, the city should encourage placement on one of the existing available, improved sites within 1 mile of the proposed site. Some of these have been vacant for more than a year, are currently advertising for uses, and currently have concurrency assignments. The generated trips would then make use of the already assigned trip counts, thereby minimizing the negative impact on the current residents

of this area and nearby areas such as Black Acres and Golfview.

### **Runoff and Flooding in the Sugarfoot Neighborhoods**

An area of particular concern is the potential for flooding in the flood-prone Sugarfoot neighborhoods due to alteration of this site's runoff patterns and topography.

This site has a 60 ft drop in elevation which directs its runoff into the adjacent neighborhoods to the south. Gwynn Oaks Pond and then Clear Lake are the normal receiving areas as stated in the Environmental Features section of the development proposal. Both of these water bodies reside within 100 year floodplain areas located in the adjacent neighborhoods. These are older neighborhoods that contain homes and streets located within the floodplain and that are prone to flooding. Due to the low elevation of the neighborhoods they lack stormwater sewers. The City has built berms around the southern and southwestern edges of the neighborhoods to protect them from backflooding from the Sugarfoot Prairie. These same berms trap excess water flowing into the neighborhoods from the north which is at a higher elevation. A city pump located at Holly Forrest Pond and a privately owned pump located at Clear Lake can pump excess water over the berm and out of the neighborhood when electricity is functioning; however, the rate at which these can pump is limited.

Stormwater management of runoff from this site will require special attention to protect the adjacent neighborhoods from excessive volumes or rates of flow which can result in flooding. As the berms are built to the 100 year storm level, runoff from this site should also be controlled to the 100 year storm level rather than the 25 year storm level. Yet at the same time, stormwater retention cannot be too severe without likely harming the environmental quality of Clear Lake and Gwynn Oaks Pond. We believe the unique characteristics of this site and the adjacent neighborhoods result in a narrower tolerance of runoff change. We believe a delicate balance of hydrology exists in this area which is in greater danger of being disturbed the more intense and dense the development.

Clearly the typical retention basin will not adequately serve the stormwater management system needs of this site. The natural contours of the site does not direct the majority of the runoff toward the indicated retention basin site. The proposal does not address how this water will reach the basin nor the extent of any reshaping of natural contour that will be needed. It is therefore important that the development proposal demonstrate that adequate stormwater retention and treatment are achievable rather than simply stated intentions on an application. Less intensive development that minimizes disruption of the natural vegetation and minimizes the impervious areas such as building footprints and paved areas will better suit this site. When considered along with the slope of the site, elevated floors that result from building on pilings or poles seems best for a site such as this and would be an example of innovative building that suits the this site.

### **Impact of Runoff on Clear Lake & Gwynn Oaks Pond**

Another of the problems with this proposed development site that will require special attention is the impact of its runoff on adjacent environmentally significant lands.

This site has a 60 ft drop in elevation which directs its runoff primarily into Gwynn Oaks Pond and then

into Clear Lake as is stated in the Environmental Features section of the development proposal. Both Gwynn Oaks Pond and Clear Lake are identified as environmentally significant lands on Future Land Use Maps 2 and 6. Clear Lake is a designated conservation area. A list of the endangered species which are documented as using these water bodies is attached.

Both the quantity and quality of the runoff from this site clearly have an impact upon these water bodies. A significant change in the quantity, either in increase or decrease, and any pollutants that are carried from this site will impact these water areas. It is therefore important to demonstrate that adequate stormwater retention and treatment are achievable rather than simply stated intentions on an application. Additionally, less intensive developments that minimize disruption of the natural vegetation and minimize the impervious areas such as building footprints and paved areas will better suit this site.

Stormwater Management Element policy 1.7.1.1 states "Infill residential development within improved residential areas or subdivisions existing prior to the adoption of this comprehensive plan, must ensure that its post-development stormwater runoff will not contribute pollutants which will cause the runoff from the entire improved areas or subdivision to degrade receiving water bodies and their water quality". This development proposal does not show this assurance. Although it addresses the release rate and volume of the excess runoff from the stormwater management facility planned at the southeastern corner of the property, it does not indicate how it will accomplish this nor does it address how pollutants such as pesticides, fertilizers, and parking lot contaminants will be filtered. No information is provided in this proposal on the size, capacity or filtration of the stormwater management facility. It does not indicate how runoff on the lower elevations will be redirected uphill to the retention basin area.

Given the unusually steep slope of this site, the fact that it drains almost directly into environmentally significant and flood-prone areas, and that at least one earlier development proposal included an unacceptable proposed retention basin, it seems reasonable that such information be required prior to land use change approval so that there is some confidence that the proposed stormwater management facility can indeed be successfully designed and implemented.

### **Incompatibility with Adjacent Neighborhoods - Noise**

This proposal is incompatible with our single family neighborhoods due to noise levels.

This proposed project includes uses that will generate more active nighttime uses which will be incompatible with single family neighborhoods. It includes a commercial store which may well operate until 9pm, a restaurant which may contain a bar and could operate late into the evening. The apartments are located in close proximity to the university, are located behind a restaurant, office and commercial store with an intervening parking area, and many will be located on floors above office suites. These rental units will clearly attract students who typically practice a much more active late nightlife. This more active late nightlife is incompatible with the adjacent single family neighborhoods due to the increased noise and disturbances it generates. Examples of this are music from the restaurant/bar, parties, car and apartment sound systems, loud voices and general automotive noise. These are all very legitimate activities within appropriate areas of the city at night; but they do not belong next to single family neighborhoods.

These neighborhoods consist of families, some with young children who have early bedtimes, and residents who must rise at early hours for work. Because this site rises as much as 60 feet above the adjacent neighborhood, noise occurring on this site will carry over the lower neighborhood. On more level ground, the immediately adjacent buildings would absorb and block the spread of sound. The letter you received from Sugarfoot resident Bert Kinzey, a sound engineer, substantiates this. Mr. Kinzey has also stated that vegetation does very little to block sound. In particular he noted low frequency sound waves, the bass booms, have a very wide wavelength that easily refracts over and around a building the size of his home. Given the topography of this site, sound and noise will cascade unblocked over the adjacent neighborhoods. (See attached elevation graphs #1 and #2)

*map*

Objective 1.6 of the Future Land Use Element states that "Land use designations shall be coordinated with soil conditions and topography."

### **Degradation to Adjacent Single Family Neighborhood Character & Promotion of Urban Flight**

This development request degrades the quality of the adjacent single family neighborhoods and promotes urban flight.

It will primarily serve the new residents of the apartments proposed for the site. It will indeed bring a high number of apartment dwellers, likely UF students, into close proximity of the university. It will not enhance the lives of the existing residents of the nearby single family neighborhoods, many of whom have invested decades of their lives in these neighborhoods. Rather it diminishes the character of the neighborhood which attracts single family use and will promote increased urban flight by single family homeowners from the neighborhoods.

This project degrades the quality of the single family life in this area and will contribute to driving more and more of these families to flee to the outlying suburbs. It will do this by overburdening our only access road, by placing incompatible uses along side the neighborhoods which brings with them noisier, busier nighttime activities, and by placing development that is too intense and too dense on the site which will result in degrading the environmental quality of the area.

Our neighborhoods already place a large population of UF employees and students with families in close proximity to the university. Although an exact count has not been done, we estimate upwards of 2/3 of the neighborhood either is currently affiliated with the university or once was and is now retired. The area contains infrastructure such as nearby neighborhood schools and parks that support the single family use of these neighborhoods. Unfortunately, single family neighborhoods in the university context area face an ever increasing assault by incompatible uses adjacent to and within them that is placing them in a state of decline. If the city wishes to preserve single family use in these areas it needs to protect them from these assaults. This development adds to this problem; it will serve to bring in rental residents at the cost of driving away the family homeowner residents.

### **Incompatibility with Characteristics of Site & Infill**

This project site is located along a stretch of Newberry Rd that connects two Urban Activity Centers:

the Triangle Activity Center and the Westgate Activity Center. This corridor is turning into a single continuous activity strip. This is one of the last remaining natural sites along a corridor that is rapidly becoming built up. The proposed site is unique in that, according to the City Arborist, it contains the last undeveloped climax deciduous forest larger than 10 acres inside the City limits. It contains more than 15 heritage trees some of which may be between 200-300 years old, 3 or 4 sinkholes, a small wetland area, and a listed plant. This site also has an unusually steep slope for this area -- approximately 5% -- dropping 59 ft over a distance of 1200 ft. Once impacted, these natural characteristics cannot be recovered for many generations, and some not at all.

These natural characteristics are widely distributed across 16 acres of this 19 acre site. Development of this site must be of low intensity and density and involve creative design measures in order to preserve these natural characteristics. Careful and unique design is needed to avoid significant cutting, terracing and alteration of the slope. The proposed density and intensity cannot provide the protection and preservation of the natural characteristics of this site other than that of the wetland which it seems to adequately address. Evidence suggests that the developer and his engineer did not have full knowledge of and appreciation for the extent of these natural features at the time the proposal was submitted. Conservation Element Objective 2.4 calls for the conservation of development-constrained soils and threatened or endangered plants. Land Use Element Policy 2.2.1 calls for the preservation of site characteristics such as topography, natural features and existing tree canopy.

The site is not unique in terms of location for the proposed uses; a list of available sites within 1 mile of the proposed site is attached. In-fill should first make use of the existing vacant or underutilized improved sites before removing unique natural areas or features that cannot be replaced once gone. Nearby available locations are located on the same Newberry Rd. corridor and share the same benefits of this location as cited for the proposed site. Many also already have concurrency availability, improvements such as parking and stormwater facilities -- and none appear to have the problems of slope, soil limitations, karst, and numerous heritage trees to deal with. If more offices, retail stores, restaurants or apartments are needed in this area, more appropriate nearby sites are available.

In-fill should first utilize the existing vacant or idle improved sites before removing natural areas that cannot be replaced once gone. The in-fill this project creates on this site is offset by the flight of existing single families from the adjacent neighborhoods that are further degraded by this project and the urban sprawl this generates.

### In Closing

Neither the neighborhoods, the developer nor the property owners had adequate knowledge nor appreciation for this site and its unique natural characteristics 7 months ago. We have all learned much since last November. The Sugarfoot neighborhoods believe this site offers its greatest value to the City of Gainesville when left as much as possible in its natural state. We would naturally like to see the site preserved. However, we recognize that this might not be possible. We are not opposed to development which fits this site and is compatible with our adjacent neighborhoods. We would hope for development which might enhance the quality of life in our neighborhood and provide amenities to existing area residents. Development on this site will need to be of low intensity and density, with uses that do not negatively impact the adjacent single family areas, and will need to creatively incorporate the preservation of the natural features of the site as desired features rather than as development obstacles.

to be avoided.


Given the far greater than usual difficulties this site presents for development, it seems reasonable and essential that greater detail be provided in any development proposal for this site -- including land use change requests -- such that confidence can be had that the proposed development is obtainable and desirable. This proposal lacks sufficient detail to have confidence in its viability. It does not make sense to change a land use designation without confidence that the proposed development is feasible.

The developer first desired to build a student apartment complex on this site last fall. He changed his plan to that of an assisted living & retirement facility in November. This was a use that the neighborhood association saw as compatible and did not oppose. We did ask that the water management be further addressed, the buffers be increased (and they were), the building heights be limited to reduce density and visibility, and the sinkholes and wetland be recognized. The developer placed the project on indefinite hold in January. In April, yet another proposal, the current one, was submitted.

It is important to acknowledge that in our discussions and interactions with Mr. Emmer last November through January, we found him and his associates to be very open, forthright and accessible. Mr. Emmer did not try to hide or gloss over the aspects of his then proposed development that he knew would be unattractive to the neighborhood residents. In this he has earned our respect and appreciation. He readily offered that his first desire was to build rental apartments and that his development would remove most of the existing tree coverage, including that within the stormwater management area. We have unfortunately had little, if any, discussion with Emmer Development since January. The current proposal came as a surprise to the neighborhood and is of a vastly different nature than the proposal of last November.

Again, a town center that is geared toward student rentals, and contains commercial establishments with late night operating hours and a bar, does not serve as an amenity to our single family neighborhoods. The proposed density and intensity does not suit the natural characteristics of the proposed site and will cause irreparable harm. We ask that you deny this proposal.

Respectfully,

  
Susan Wright  
President

## Available Properties and Office Sites In Vicinity of Proposed Site

### Site 1

Existing office park advertising office lease availability

5200 West Newberry

.5 miles west of Glikes property, in Triangle activity center

### Site 2

Existing rundown residence advertising sale or lease for 1600-10,000 sq ft office building

4880 Newberry Rd.

.3 miles west of Glikes property, in Triangle activity center

### Site 3

Existing rundown residence advertising commercial site for sale

4468 Newberry Rd.

.2 miles west of Glikes property, in Triangle activity center

### Site 4

3.5 acre wooded area advertising corporate park for sale with reserved concurrency

Located at corner of 43<sup>rd</sup> St and Newberry Rd

yards from Glikes property, in Triangle activity center

### Site 5

Existing office complex advertising space for lease

4001 Newberry Rd

.1 miles east of Glikes property

### Site 6

Existing vacated Scotty's site advertising outparcel opportunities

3900 Newberry Rd

.4 miles east of Glikes property

### Site 7

Existing office complex advertising for space for rent

3909 Newberry Rd

.4 miles east of Glikes property

Report by Robert W. Simons on the ecology of the Glikes Property presented to the Sugarfoot Community Improvement Association on December 6, 1998.

The 19+ acres of woods comprising the Glikes Property is an example of the very high quality mesic hammock forest that occurs here in Alachua County in places such as San Felasco Hammock and on the north rim of Paynes Prairie in the vicinity of Alachua Sink. It supports a high diversity of trees, shrubs and vines, and is excellent habitat for a high diversity of wildlife species. Some tree species I saw this afternoon are live oak (including some with trunk diameters of over four feet), laurel oak, water oak, swamp chestnut oak, loblolly pine, spruce pine, red cedar, pignut hickory, white ash, red maple, boxelder, sweetgum, winged elm, Florida elm, sugarberry, basswood, swamp dogwood, redbud, American plum, cabbage palm, hop-hornbeam, and blue-beech. Some wildlife species that do particularly well in this kind of forest year around are the gray squirrel, flying squirrel, pileated woodpecker, red-shouldered hawk, barred owl, carolina wren, Florida box turtle (one of which I saw), ground skink, broad headed skink, mole salamander, and slimy salamander. The american woodcock prefers this habitat to all others in Florida and I saw one of these. Summer resident birds that prefer this habitat include the red-eyed vireo, parula warbler, yellow-billed cuckoo, and great crested flycatcher. Fall migrant and winter resident birds that prefer this habitat include the yellow-bellied sapsucker, ruby-crowned kinglet, veery, hermit thrush, black and white warbler, and ovenbird. Clearly this kind of forest, which is not very abundant, is quite important for a number of wildlife species.

The reason this diverse and productive forest community has developed here is the fertility of the soil combined with the sloping topography, both of which have been created by the very active karst topography of this particular part of Alachua County. This property is in the narrow zone that extends from O'Leno State Park and the River Rise on down through San Felasco Hammock, this area (which includes Hogtown Prairie), and then through Paynes Prairie. This is the zone in which the Hawthorn formation, that underlies the eastern half of Alachua County with impervious clay deposits, thins out and disappears. This edge of the Hawthorn formation creates the ideal conditions for maximum sinkhole activity, resulting in maximum formation of numerous karst topographic features. Some examples of these karst features are the very numerous sinkholes throughout this zone, the disappearing stream systems such as Hogtown Creek, and the karst prairies like Paynes Prairie, Kanapaha Prairie, and Hogtown Prairie, which were created by repeated sinkhole formation combined with siltation from incoming



streams over a very long time span.

Indications of this active karst topography on this property include two sinkholes, the larger of which has fallen in recently as evidenced by its steep, rapidly eroding sides. The smaller sink hole has a sunken area next to it pointing in the direction of the larger hole. These features indicate a cave system underneath that has occasionally collapsed in places, creating these features. Another indication of karst activity is the set of shallow floodplain depressions near and at the south edge of the property.

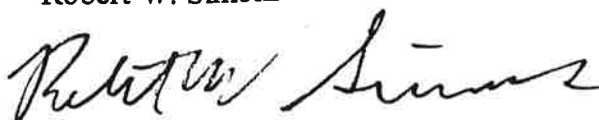
These shallow depressions hold water at times as evidenced by the water marks on the bases of the trees as well as the type of vegetation there. There is a very small dry stream channel that leads to these depressions indicating an intermittent channelized flow of water down the slope to this area.

A look at the Gainesville West topographic quadrangle map reveals that this parcel is on the slope down to the karst plain of Hogtown Prairie. This prairie was formed and is continuing to be expanded by a combination of sinkhole activity and erosion on this slope. This process exposes the clays, phosphate rock, and limerock of the Hawthorn formation, thus allowing the formation of the fertile soil that supports the mesic hammock forest. It also provides a rather unstable foundation upon which to build buildings. I should know. My house, indeed, my whole neighborhood in which I have lived for the past 48 years is built on a similar slope at the edge of the Paynes Prairie karst plain (on the west side of P K Yonge School). Our houses are forever shifting and cracking, and there is always the possibility of a sinkhole opening up.

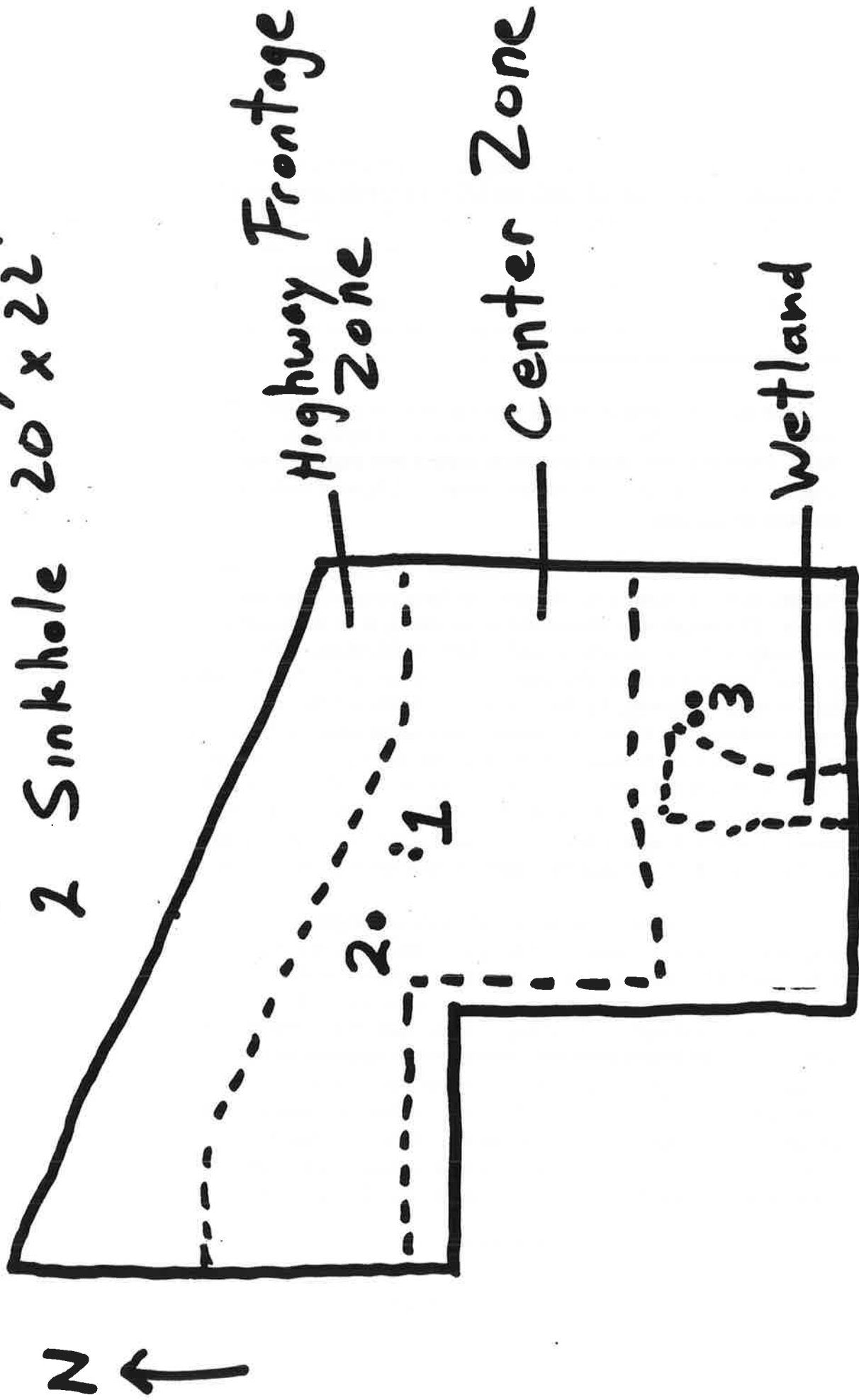
If the Glikes Property is developed, the adjacent Sugarfoot neighborhood will lose some wildlife. There will be fewer barred owls, red-shouldered hawks and other wild animals. There will also be the possibility of greater runoff of lower quality water due to the soil compaction, construction of buildings, paving, and other activities that will occur on the Glikes Property. This might be mitigated by the construction of large basins to detain or retain runoff. However, these might alter the flow of water in the caves in the limerock beneath, thus perhaps creating increased sinkhole activity. There is no way to convert a healthy woods to a developed area without impacts, and the impacts on a site such as this are considerably greater than normal.

Sincerely,

Robert W. Simons

A handwritten signature in cursive script, appearing to read "Robert W. Simons".

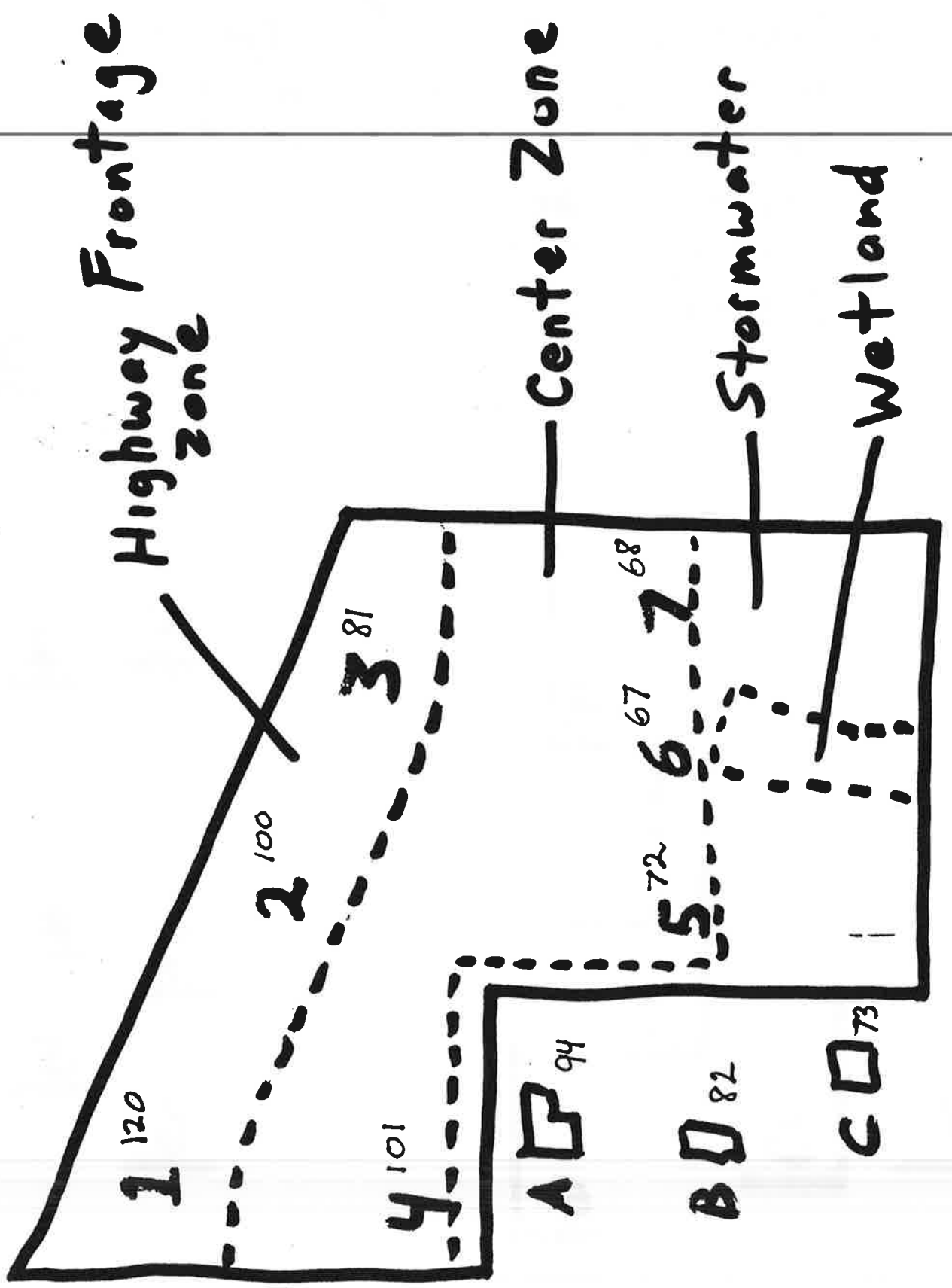
- 1 Sinkhole 6' x 22'
- 2 Sinkhole 20' x 22'



Glikes Property

Map 1

# Glikes Property, & Adjacent Homes



N ↑

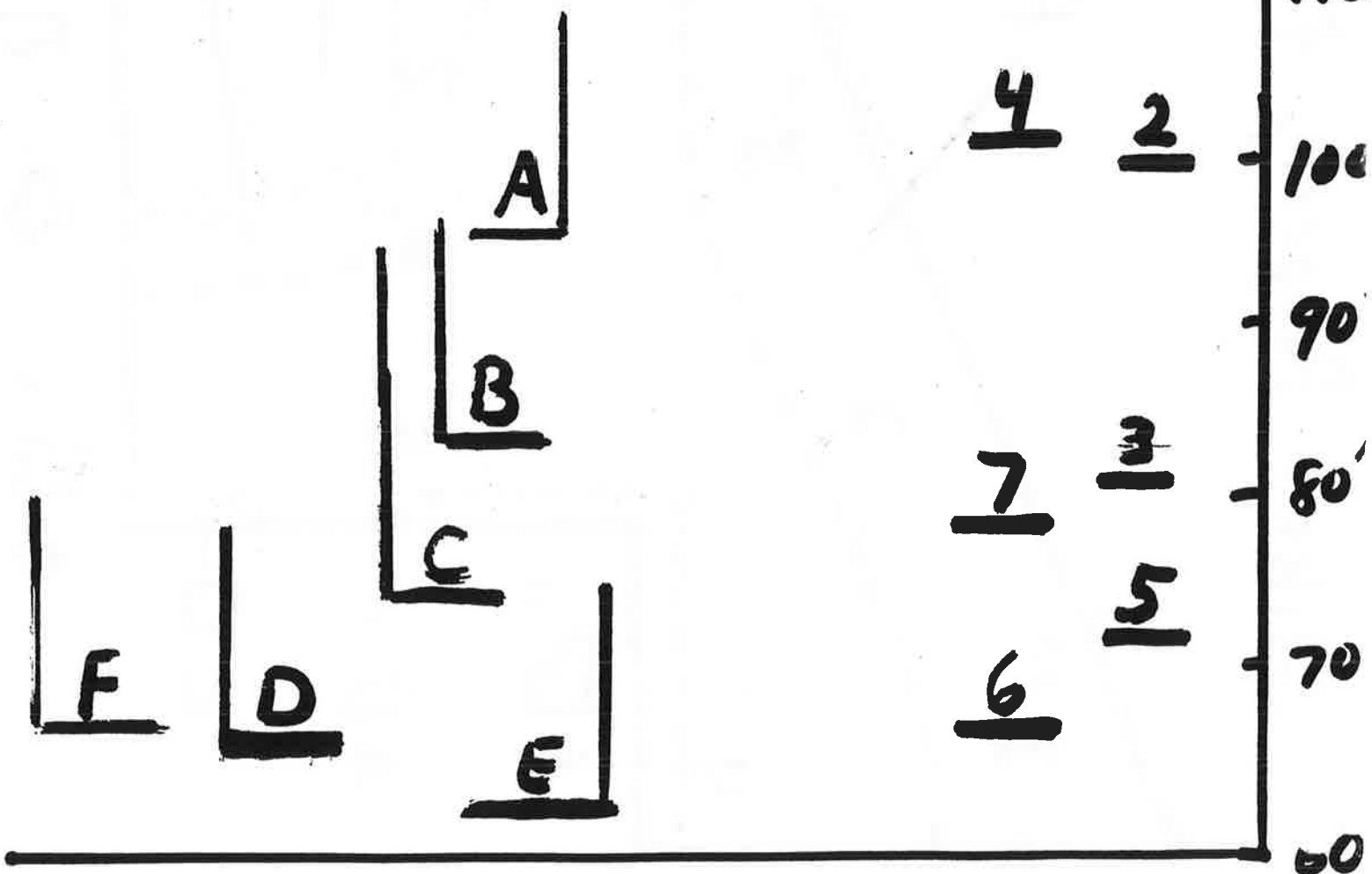


Map 2

1-7 : base elevation at site  
within development

A-F : base elevation of adjacent  
homes with approximate  
roofline height denoted by  
vertical bar.  
1 story = 13'  
2 story = 21'

Elev.



Graph 1



# UNIVERSITY OF FLORIDA

Louis J. Guillette Jr., Ph.D.  
Professor of Zoology  
Research Foundation Endowed Professor  
Tele: (352) 392-1098  
Fax: (352) 392-3704  
Internet: ljj@zoo.ufl.edu

Department of Zoology  
223 Bartram Hall; Box 118525  
Gainesville, Florida 32611-8525  
Tele: (352) 392-1107  
Fax: (352) 392-3704

May 8, 1999

To Whom It May Concern:

This is to inform you that a number of wildlife species of special concern live in, around and use habitat that is in or adjacent to Clear Lake or Gwynn Oaks Pond in southwest Gainesville, FL.

A number of birds of special concern use Clear Lake and Gwynn Oaks Pond as feeding areas, including Little Blue Herons (*Egretta caerulea*), White Ibis (*Eudocimus albus*) and Roseate Spoonbills (*Ajaia ajaja*). I have not observed nesting in the immediate area of these wetland regions but have observed courtship and mating activities. During the last 14 years, I have also observed a large number of migratory birds using Clear Lake as a intermediary resting habitat. Species include immature Bald Eagles, Osprey, and Limpkin.

Clear Lake also has a resident alligator (*Alligator mississippiensis*) population. Two sexually mature individuals (larger than 6.5 ft total length) inhabit the lake throughout the year. Smaller animals have been observed as well. A female nests every other year in the marsh immediately adjacent (south) to Clear Lake. Another species of interest is the presence of the endangered (Florida) Indigo snake (*Drymarchon corais*) in the hard wood hammock adjacent to Clear Lake. I have observed a pair of these snakes yearly for the last 12 years. They breed and forage along the shores of Clear Lake.

A complete inventory of vertebrate species in and around these water bodies has not been performed to my knowledge. An initial survey, however, also identified 6 species of frog or toad breeding in or adjacent to these water bodies along with one salamander, the Greater Siren (*Siren lacertina*).

If you have any questions on the above observations, please feel free to contact me.

Sincerely Yours;

Louis J. Guillette Jr., Ph.D.  
Professor of Zoology  
Research Foundation Endowed Professor



GAINESVILLE, FLORIDA

MAY 17, 1999

CITY PLAN BOARD  
D.C.D. - MS12  
P.O. Box 490  
GAINESVILLE, FLORIDA

PETITION  
RE: #212 LUC-98 PB

GENTLEMEN:

AS LONG-TIME RESIDENTS OF THE AFFECTED  
NEIGHBORHOOD, MY HUSBAND AND MYSELF,  
I.E. CHARLES W. AND MILDRED H. KUHNS  
3834 W. UNIVERSITY AV.

GAINESVILLE, FL 32607-2327,  
WISH TO EXPRESS OUR OPPOSITION TO  
EMMER DEVELOPMENT'S PROPOSAL FOR  
THE GLIKE'S PROPERTY AS SET FORTH IN  
THE ABOVE PETITION # 212 LUC-98 PB.

WE FEEL THAT THE ENVIRONMENTAL FEATURES  
OF THESE ACRES ARE IMPORTANT AND SHOULD  
BE PROTECTED.

THE ADDITIONAL WATER RUN-OFF AND THE  
INCREASED AUTOMOBILE TRAFFIC RESULTING  
FROM THE PLANNED DEVELOPMENT WOULD  
ALMOST CERTAINLY CREATE PROBLEMS DETRI-  
MENTAL TO THE SUGARFOOT COMMUNITY.

WE URGE YOUR CAREFUL CONSIDERATION OF  
THIS PETITION.

YOURS TRULY,

Mildred H. Kuhns

Charles W. Kuhns

RECEIVED

MAY 19 1999

PLANNING  
DIVISION





Willard J. Brask

May 18, 1999

City Plan Board  
Gainesville, FL 32602

Dear Members of the Plan Board:

This is in reference to the proposed  
Summer Development; petition #212 LUC-98 PB

We have lived in the adjacent neighborhood,  
Hatcher Heights for 36 years. We feel the  
Summer plan is totally inappropriate for  
the future of our community.

We vigorously oppose this plan and  
beg you to deny it.

Very truly yours, --

—~~Harriet~~ Willard Brask

RECEIVED

MAY 19 1999

PLANNING  
DIVISION

352

Gainesville, FL  
May 17, 1999

City Plan Board  
Dept. of Community Development - MS-12  
Gainesville, FL 32602

Dear Board Members,

This is in regards to Petition #212 LUC-98 PB

We oppose Emmer Development's latest proposal for development of the GLIKES property on Newberry Road just West of Westside Baptist Church. This use would be detrimental to the existing property adjacent to this development and not a suitable use of this property.

DONALD F. LOPER  
ETHEL E. LOPER  
3906 SW 3rd AVE.  
GAINESVILLE, FL 32607

RECEIVED

MAY 19 1999

PLANNING  
DIVISION

Thanks for your Consideration,

Donald F. Loper  
Ethel E. Loper

~~Willard G. Brask~~

May 18, 1999

City Plan Board  
Gainesville, FL 32602

Dear Members of the Plan Board:

This is in reference to the proposed  
Summer Development; petition #212 LUC-98 PB

We have lived in the adjacent neighborhood,  
Hatcher Heights for 36 years. We feel the  
Summer plan is totally inappropriate for  
the future of our community.

We vigorously oppose this plan and  
beg you to deny it.

Very truly yours, --

~~Willard G. Brask~~

RECEIVED

MAY 19 1999

PLANNING  
DIVISION

Gainesville, FL  
May 17, 1999

City Plan Board  
Dept. of Community Development - MS-12  
Gainesville, FL 32602

Dear Board Members,

This is in regards to Petition #212 LUC-98 PB

We oppose Emmer Development's latest proposal for development of the GLIKES property on Newberry Road just West of Westside Baptist Church. This use would be detrimental to the existing property adjacent to this development and not a suitable use of this property.

DONALD F. LOPER  
ETHEL E. LOPER  
3906 SW 3rd AVE.  
GAINESVILLE, FL 32607

RECEIVED

MAY 19 1999

PLANNING  
DIVISION

Thanks for your consideration,

Donald F. Loper  
Ethel E. Loper

318 SW 40<sup>th</sup> Terrace  
Gainesville, FL 32607

City Plan Board

Dept of Community Development - MS 12

P.O. Box 490

Gainesville, FL 32607

Re: Petition #212 LUC-98 PB

Dear Sirs:

The proposal to develop a nature park on the property presently owned by the Gliche family is a splendid one which I warmly endorse. Not merely with my natural bias in such matters, but with a firm belief in letting Nature be Nature wherever possible.

I'm remembering the four or five times I've seen an osprey at his nest at the top of a tall tree in that patch of ground, and in that remembrance

I'm hoping that whenever he or one of his progeny wants to build a nest in that hoped-for Nature park, he will succeed.

Sincerely,

Fleming Bennett

RECEIVED

MAY 19 1999

PLANNING  
DIVISION

City Plan Board  
Department of Community Development MS 12  
P.O. Box 490  
Gainesville 32602

**RE: Petition No. 212LUC-98PB**

Dear Plan Board Members:

As residents of Anglewood for over 25 years, we are **OPPOSED** to the development of the Glikes property. Development of the property will have an adverse impact on the hydrology of Clear Lake and Gwynn Oaks Pond. The density, intensity, and proposed use of the development are incompatible with the adjacent neighborhood. Before the Board approves development of this unique urban forest property, we recommend that idle properties, like Scotty's, be used first.

Please give favorable consideration to preserving the property in its natural state join us in opposing development of the property.

Sincerely,

*William & Lillian Shultz*

William and Lillian Shultz  
4 SW 40<sup>th</sup> Street  
Gainesville, FL 32607

RECEIVED  
MAY 19 1999  
PLANNING  
DIVISION

RECEIVED

MAY 19 1999

PLANNING  
DIVISION

427 S.W. 42 Street  
Gainesville, Fl 32607  
May 15, 1999

City Plan Board  
Dept. of Community Development-MS12  
P O Box 490

Gainesville, Fl 32602  
Dear Plan Board,

In 1982 my husband accepted a position at the University of Florida. We found the home we wanted in Holy Forrest, south of Newberry, at the corner of S W 42 nd Street and 5th Avenue. We have lived here these past 17 years. The nature of the neighborhood has pleased us, as well as it's closeness to not only the University but the mall, Publix, and other shops and businesses. These local shops, likes George's Hardware on the north and Zells Hardware on the south, and their accompanying shops are not only close but like a small town community within the city.

It's a land locked neighborhood, with the swamp and dike all around it, unlike other neighborhoods. This, I think, accounts for the low crime rate. It's well treed, has only local traffic, no through traffic, only local noises. It's a quiet refuge from a real city, with city traffic and noises, as close as five blocks away, up on Newberry Avenue.

I've watched Gainesville grow in these 17 years, not resenting the growth, until lately, especially the new Gresham's building going up on the corner of NW 43 rd Street and Newberry Avenue, not because I hate Gresham's but because of the way the lot was so stripped of all its trees. All I could think of was, "Where did all the birds, squirrels, and other creatures go to live?"

Last May, 1998, we moved my in-laws up here from Melbourne Beach. They moved into the Atrium. One night as we returned from their place, we were headed south on NW 43 rd Street. We were south of 8 th Ave. headed towards Newberry, when my husband saw a red fox run across NW 43 rd St., headed west, and go into the trees that were left when the professional buildings were built on the NW corner of the intersection, just across from where the new Gresham's is going in. Again, I couldn't help but think, "I'll bet he used to live in the trees that used to be where Gresham's is now. Poor thing, now he's displaced and trying to find a new place to live. But his habitat is disappearing. Where will he find a place? Are the trees that were left on the west side of NW 43 rd near Newberry, that he's running into, thick enough? It's really nice that those trees were left there, even though a professional complex went in. At least someone had the forethought to do that. And what about all the birds that had had nests in the trees that were taken down for Gresham's? Birds are territorial, can they just move over into some other bird's area?"

It was only then that I began to learn about the city's tree policy. How come a site like the corner of NW 43 rd and Newberry could be stripped so completely? Because it had no heritage trees on it? The developer did leave a few, but they are really scrub trees, nothing important or even pretty to look at.

Now I come to the tract of land directly across from the new Gresham's, on the south side of Newberry, still at the intersection

of 43 rd and Newberry, the Glikes property. I would hate to see that property stripped of all it's trees, and professional buildings put there as has already happened to both corners on the north side of that intersection.

Please don't let that happen. We don't need that many professional buildings, do we? If I'm wrong and there is indeed the need, let the buildings be built on land that is scrub, or devoid of trees already. Send Emmer Development over to the empty Scotty's and change the use of it. It's already stripped of it's natural beauty. Don't take a site that is so heavily treed, including over 15 heritage trees. Don't take a site that is, not only habitat to the every day song birds but endangered species too. Please don't spoil the sound buffer that is between us and the traffic on Newberry Avenue. Please don't open this neighborhood up to crime more than it is giving easy access through a professional park. Please don't increase the traffic on Newberry any more than it is now with rental apartments and a restaurant.

I traveled to Long Island, New York, this past week. That's where I was born and raised. I revisited old towns and saw first hand how some had preserved themselves very nicely through sound planning decisions, while others have disintegrated into crime ridden ugly habitats.

Keep tracts of land like the stand of nature encompassed in the 19 acres referred to as the Glikes property, as a preserve for beauty, not only for my eyes and ears but for the songs birds and other creatures that live there now as well as for those critters that have to find a home there because their habitat has already been taken. Make an investment in the future that isn't in the form of concrete. Keep Gainesville's tree canopy a high priority.

I cannot attend the meeting on Thursday, May 20 th, because our oldest son's graduation from college takes place that day up in Lorton, Va., just outside Washington, D.C. Talk about treeless places, we appreciate our home town, Gainesville, with it's tree beauty all the more after a trip like that. I will be well pleased to find it's still there when I get back. Thank you.

Most sincerely,



Mrs. Faith (Byron) French

P.S. Since writing this, we've traveled to and from the Atrium again, and were greatly disappointed to discover a sign offering for sale the 3.5 acre lot of trees, I referred to above that the red fox ran into; the trees on the north west corner of the intersection of 43 rd and Newberry. If we don't make decisions for the trees along strips like Newberry now, it will look like route 40 in Ocala very soon.



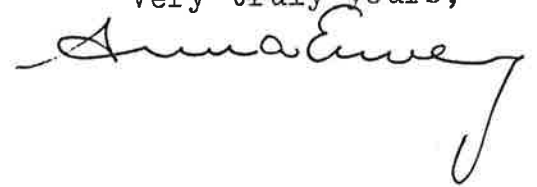
Anna Emery  
3755 SW 6th Place  
Gainesville, Fl 32607  
Petition: 212LUC-98PB

May 17, 1999

City Plan Board,  
Dept. of Community Development-MS12,  
P.O.Box 490,  
Gainesville, Fl 32602

I wish to inform you that I am against the  
Emmer Development's proposal to build a restau-  
rant, commercial store, office buil-  
ding and rental apartments on the Glikes  
property.

Very truly yours,



RECEIVED

MAY 18 1999

PLANNING  
DIVISION

City Plan Board  
City Hall Dept. Com. Dev.  
Gainesville, FL

May 16, 1999

Petition # 212 LUC-98PB

Dear Sirs:

We oppose the Emma Development on Gilke  
property of 19 acres on Newberry Ad. The  
4335 automobile trips added would be outrageous.

Sincerely,

Roy + Avis Leilich

DR. ROY LEILICH  
525 S.W. 40 TERRACE  
GAINESVILLE, FL 32607

RECEIVED

MAY 18 1999

PLANNING  
DIVISION

Dean

417 SW 41<sup>st</sup> Street  
Gainesville, Florida,  
32607  
May 17, 1999

City Plan Board  
Department of Community Development - MS12  
P.O. Box 490  
Gainesville, Florida, 32602

RECEIVED

MAY 18 1999

PLANNING  
DIVISION

Dear Sirs:

This is in reference to the approval of the Summer  
Development proposal for the property known as the  
Giles property. This is petition # 212 LUC-98PB.

The destruction of this fragile area for  
commercial growth would be a tragedy.

No Hurricane has been through this area  
in thirty years or so; but, please remember the  
flooded houses and streets in all parts of the  
Sugarfoot Community. This was before there had been  
any commercialization of the land known as Royal  
Park and Scotley.

Please consider maintaining the Giles  
property in its natural state, not destroying it  
for commercial development.

Sincerely,  
Liz Smith

Elizabeth B. Smith  
417 SW 41<sup>st</sup> Street  
Gainesville, Florida, 32607

George and Wuni Ryschkewitsch  
10 SW 41st Street  
Gainesville, FL 32607

RECEIVED

MAY 18 1999

City Plan Board  
Dept. Of Community Development - MS 12  
P.O. Box 490  
Gainesville, FL. 32602

PLANNING  
DIVISION

May, 16, 1999

Re: Petition # 212 LUC-98. Glykes Property in the 4200 Block of W. University

The above property is scheduled for re-zoning from residential to PUD on Thursday, May 20. Our property directly abuts on part of the above parcel of land and we, George and Wuni Ryschkewitsch would be affected by any change of zoning or development in said area. Because of a previous urgent commitment we will be unable to attend the meeting on the evening of May 20th, and we would like to bring our concerns before the board for consideration in the decision to be made on this date:

1. We live in a single family neighborhood and have been for the last 43 years. The neighborhood has retained its single family character overall during that time.
2. Any development of the density proposed in the re-zoning request is not compatible with the character and population ( families with children and elderly) of the neighborhood.
3. Our neighborhood represents a rather quiet environment, in fact with the recent installments of speedhumps it is safe for children and any folk riding their bicycles on the streets or shoot baskets in their driveways.
4. A development including residential apartments populated partially by students and a restaurant with bar facilities also are not compatible with a single family neighborhood because of the hours that are kept by that kind of activity.
5. The parcel to be rezoned presently presents a buffer for noise from Newberry road and for the absorption of water coming from the road and running down the hill, which has a steep incline ( 60ft.) from our neighborhood.
6. The re-zoning requests indicated that the proposed development would bring 4-to 5000 additional cartrips to the area /day, again that is not a compatible activity for the neighborhood nor for the increase in traffic unto Newberry Road, which is already travelled to capacity.
7. Historically, there have been several requests for a zoning change for that parcel of land and in the past it has always been denied for the following reasons: Density of development, water retention problems, traffic patterns and incompatibility with the neighborhoods South and West of the parcel.

We would urge you to very seriously consider these problems and to vote AGAINST re-zoning of the Glykes property to any designation other than residential.

Sincerely,

  
George Ryschkewitsch

  
Wuni Ryschkewitsch

**Dear Plan Board,**

**I wish to express my support of the purchase of the Glikes Property to be used as a park. What makes Gainesville a beautiful place for our family to live is the beauty of the natural surroundings. I grew up in Miami and it is one giant paved mall, mini mall, parking lot highway. I implore you to THINK about what you really want the future of our community to be for generations to come. Develop the empty already paved areas such as scotty's or the many other less well designed areas before cutting trees and developing wetlands best left untouched.**

**Petition #212LUC-98PB**

**Mary Park Smith**

**3916 SW 3 Ave**

**32607 352-336-9285**

**352-378-0231**

**RECEIVED**

**MAY 18 1999**

**PLANNING  
DIVISION**

KAREN L. STEELE  
4305 S.W. 7th Avenue  
Gainesville, FL 32607  
(352) 375-1319

RECEIVED

MAY 18 1999

PLANNING  
DIVISION

May 16, 1999

Gainesville City Planning Board  
Department of Community Development MS12  
Post Office Box 490  
Gainesville, FL 32602

RE: Petition #212LUC-98PB

To Whom It May Concern:

My husband and I have been reading various accounts about the possible development of the wooded area along Newberry Road right in front of our neighborhood. It seems that more and more of our natural areas are being destroyed in the name of so-called progress. The natural setting and surrounding forests were key reasons my husband and I chose to move into this neighborhood in 1994. PLEASE, PLEASE, PLEASE do not let this 19-acres of natural lands be yet another casualty of modern man.

We would hate to see such a beautiful natural area destroyed to put in yet another shopping center, restaurant, or more homes. We seem to be overrun with shopping centers and restaurants as it is, and do not see the need to destroy our natural areas to erect more. If someone really feels they need another store or restaurant, what about 1) the vacant commercial area just down the street where the Scotty's used to be, 2) the area where they are now building the new theater, or 3) any of the many other vacant locations all around town - empty lots and vacant buildings? We have seen a dramatic increase in traffic on Newberry Road in the last five years. So, as for homes, we believe we have enough traffic problems along Newberry Road as it is, and building more homes (or even worse, apartments or other multi-family units) would only exacerbate an already frustrating road maintenance/traffic situation.

We have been told that the City may be considering making this area into park. That would be fine with us, so long as in the process you do not destroy the natural grasses, sink holes, trees, water run-offs, etc. There are several great old trees (some over 100 years old) and nesting areas. A park that would preserve the natural setting would be nice.

Last, but certainly not least, please also consider future generations who may never get to see any natural areas unless we all work together to preserve the precious few such areas we have left.

Respectfully submitted,

  
Karen L. Steele

RECEIVED

MAY 18 1999

PLANNING  
DIVISION

May 16, 1999

115 S.W. 42nd St.

Gainesville, FL 32607

City Plan Board  
Dept. of Community Development - 101512  
P.O. Box 490  
Gainesville, FL 32602

Re: Petition # 212 LUC - 98 PB

Dear Plan Board Members:

We bought a beautifully wooded one acre lot in the Sugarfoot Community, off Newberry Rd forty-eight years ago and later built our home on it. This is a unique neighborhood in that many of the original homeowners still live here, giving our neighborhood a stable quality which rarely exists in today's mobile society. In hoping to maintain this quality we are opposed to the proposed E-commerce development for the following reasons.

- (1) Excessive drainage from the sloping 19 acres into our area,
- (2) Increased density re student housing,
- (3) Increased traffic on Newberry Rd.

We support the idea of the Glicker property being purchased by the City of Gainesville for use as a nature park, and we appreciate your consideration of these issues.

Sincerely,  
(Mrs.) Mary B. Camp



STANLEY I. CULLEN, M.D., P.A.

City Plan Board,  
Department of Community Development - MS12  
P.O. Box 490  
Gainesville, FL 32602

May 15, 1999

RE: Petition # 212LUC-98PB

It is my understanding that the above petition is for re-zoning of the Glikes property to allow the building of a restaurant, commercial store, office building and rental apartments.

I write to voice my opposition to such re-zoning for the following reasons:

- 1) Considering that the property in question slopes steeply towards the neighborhood in which I have lived for almost 33 years, I am very concerned about the increased water runoff that such a development might cause. I and others in the neighborhood have had to deal with our homes flooding in the past. We do not relish the idea of dealing with it again.
- 2) The two bodies of water in the neighborhood, Clear Lake and Gwynn Oaks Pond, are both listed as environmentally significant lands by the City and both identified as habitat for endangered species and should not be disturbed.
- 3) I am particularly concerned about the expected increase in automobile traffic that the proposed buildings would generate. The project will add 4,335 automobile trips per day on Newberry Road which is already at maximum load capacity. The addition of the new multiple movie theater currently under construction east of the proposed project will undoubtedly increase automobile traffic on Newberry Road.

I thank you for your consideration of this matter and trust you will not allow one of Gainesville's nicest residential areas to be destroyed.

Sincerely Yours,

Stanley I. Cullen, M.D.

RECEIVED

MAY 18 1999

PLANNING  
DIVISION



506 SW 40<sup>th</sup> Terrace  
Gainesville, FL 32607-2758  
May 17, 1999

re: Petition #212LUC-98PB (Glikes property)

City Plan Board  
Department of Community Development - MS12  
P.O. Box 490  
City of Gainesville  
Gainesville, FL 32602

Dear City Plan Board Members:

Mrs. Hiers and I wish to register our opposition to the development of the Glikes property proposed by Emmer Development in petition #212LUC-98PB, which you have scheduled for consideration at your meeting this coming Thursday, May 20<sup>th</sup>. We shall both be out of town that evening, and therefore will not be able to appear in person at the hearing.


The property in question immediately adjoins our neighborhood, the Sugarfoot Community, and the Westside Baptist Church property. At present, the Glikes property forms an important sound and traffic barrier between our neighborhood and the increasingly heavy traffic patterns along West Newberry Road. Development of this property at the proposed level of density would undoubtedly impact adversely on present neighborhood traffic and quality of life.

The present undeveloped Glikes property represents a rare environmental asset within the city. As you know, it includes various outstanding heritage or champion trees, and has been identified by the City Arborist as a unique forest area.. Even minimal development would likely result in destruction of these environmental values. In addition, many of us already have homes or property in the 100-year flood plane or flood prone areas. At present, the Glikes property, with its various sink holes and run-off patterns provides relatively clean drainage into Clear Lake, which, with surrounding undeveloped areas, constitutes habitat for a number of endangered wildlife species.

We support efforts to acquire this outstanding wilderness area in order to preserve its environmental values as a nature park for the enjoyment of all our fellow-citizens. It should not be developed for housing or commercial purposes.

Thank you for taking seriously our concerns.

Sincerely yours,

  
Richard H. Hiers

RECEIVED

MAY 18 1999

PLANNING  
DIVISION

RECEIVED

MAY 18 1999

11 SW 43rd Terrace  
Gainesville, FL 32607-2284  
May 15, 1999

PLANNING  
DIVISION

City Plan Board  
Dept. of Community Development -MS12  
P. O. Box 490  
Gainesville, FL 32602

Re: Petition #212LUC-98PB

Since previous commitments prevent our attending the Plan Board meeting, we are taking this means to express our emphatic opposition to the above petition. We own two lots in the Gwynn Oaks Subdivision immediately adjacent to the property in question. We bought this property in 1953 and had our house built on it in 1956. Forty-three years later we are still living in this house. Our long residence here is not unique; in this remarkably stable, high quality neighborhood, several of our neighbors have lived in the same house for forty years or more.

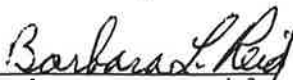
We have every reason to expect continued stability, unless the area is degraded by incompatible development on adjacent areas, as in the proposal under consideration. Such development would provide a strong incentive for current residents to move into presently rural areas, exacerbating urban sprawl. The result could well be the debasing of the character of our neighborhood as homes are converted into rental property and ultimately into low-grade high-density housing.

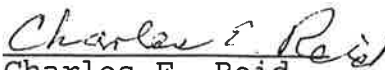
In several other respects this parcel is not suitable for the proposed type of development. (1) It slopes strongly and would require massive filling; (2) Drainage from the property goes across adjacent lots to the south and into Clear Lake; this drainage system works reasonably well with the present conditions, but would be seriously overloaded by the added runoff if buildings, streets, and parking lots were constructed; (3) Several sinkholes indicate that geologic instability is likely; and (4) Several endangered species have been identified on the property, and also several large trees of an age believed to exceed two centuries.

In addition to the property itself, serious consideration should be given to the increase in traffic that this development would cause. Newberry Road is already near its legal capacity and would seriously exceed this capacity if commercial development is permitted on the area in question.

While we recognize the desire of the owners to find a suitable use for their property, we are strongly convinced that the property rights of the residents of our neighborhood would be seriously infringed upon by the proposed development.

Sincerely,

  
Barbara L. Reid  
(Mrs. Charles E.)

  
Charles E. Reid

JODI CULLEN  
506 S.W. 42<sup>nd</sup> Street  
Gainesville, FL 32607

City Plan Board,  
Department of Community Development - MS12  
P.O. Box 490  
Gainesville, FL 32602

May 15, 1999

RE: Petition # 212LUC-98PB

I write to voice my opposition to the above petition for rezoning . I am a long time resident ( almost 33 years) of the neighborhood where this rezoning would have a terrible effect.

The property in question is a beautiful section of land with over 15 heritage trees, some between 200 and 300 years old. It also has several sinkholes and two bodies of water, Clear Lake and Gwynn Oaks Pond, both of which are listed as environmentally significant lands by the City and both identified as habitat for endangered species.

I am very concerned about the increased runoff water from this proposed project as it may adversely effect these bodies of water and their inhabitants. It may also again put my home in the danger of flooding.

I also oppose the development because the proposed density and intensity are too high and are incompatible with the adjacent residential neighborhood. Such development would add a projected increase of 4,335 automobile trips per day to Newberry Road which is already at maximum load capacity as determined by the City.

I thank you for your consideration of the above and trust that you will do all you can to protect this beautiful piece of land and beautiful city neighborhood.

Sincerely Yours,



Jodi Cullen

RECEIVED

MAY 18 1999

PLANNING  
DIVISION

BERTRAM Y. KINZEY, JR., ARCHITECT

Consultant in Architectural Acoustics  
212 S. W. 42nd Street, Gainesville, FL 32607  
Phone or Fax 352 378-1878

Lic. #AR 002800

May 17, 1999

City Plan Board  
Dept. of Community Development - MS12  
P. O. Box 490  
Gainesville, FL 32602

Re: Petition #212LUC-98PB

Dear Board Members:

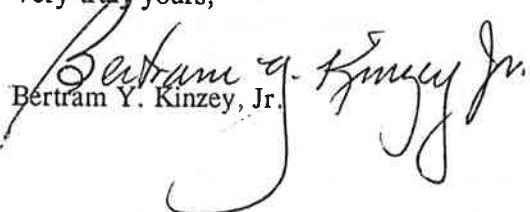
As a resident just south of the Glikes property which Emmer Development proposes to cover with commercial buildings and residential units at a density of 8 to the acre I wish to lend my opposition to the proposal.

My objection arises from a concern about the water runoff that such an occupancy would create which would move south and west and create flooding when Clear Lake becomes overloaded. Run off from across Newberry Road several years ago flooded the area such that one transversed S.W. 43<sup>rd</sup> Terrace and Clear Lake Drive on canoe. A move to divert that flow to Hogtown Creek solved that problem. But flow on the south side of Newberry can not move on because of a dike the city has constructed south of Clear Lake to prevent back up of water from the south.

In addition, such a dense occupancy is bound to have a noise impact on the single family units to the south.

There are certainly valid arguments for keeping the property as a nature park. There is no evidence that such a dense occupancy as proposed is an appropriate use for the site.

Very truly yours,

  
Bertram Y. Kinzey, Jr.

RECEIVED

MAY 18 1999

PLANNING  
DIVISION

JAMES B. GOODSON  
327 S.W. 40TH STREET  
GAINESVILLE, FLORIDA 32607

May 17, 1999

City Plan Board

Dept. of Community Development - MS12  
P.O. Box 490  
Gainesville, FL 32602

Subject: Petition No. 212LUC-98PB

Gentlemen:

I have resided at the above address in the Sugarfoot Community for almost 36 years. Based upon my knowledge of the area gained during those years and my experience as an engineer (PhD, University of Florida, 1950), I fully support the opposition of the Sugarfoot Community Improvement Association to the subject petition.

Yours very truly,

A handwritten signature in black ink that reads "James B. Goodson". The signature is written in a cursive style with a large, looping initial "J".

RECEIVED

MAY 18 1999

PLANNING  
DIVISION



**From:** Robert J. Howland <howlanrj@sbac.edu>  
**To:** commdev@ci.gainesville.fl.us <commdev@ci.gainesville.fl.us>  
**Cc:** mayor@ci.gainesville.fl.us <mayor@ci.gainesville.fl.us>;  
 commBD@ci.gainesville.fl.us <commBD@ci.gainesville.fl.us>;  
 commJB@ci.gainesville.fl.us <commJB@ci.gainesville.fl.us>;  
 commPH@ci.gainesville.fl.us <commPH@ci.gainesville.fl.us>;  
 commEJ@ci.gainesville.fl.us <commEJ@ci.gainesville.fl.us>  
**Date:** Tuesday, May 18, 1999 5:00 PM  
**Subject:** Glikes property

**RECEIVED**  
**MAY 19 1999**  
**PLANNING**  
**DIVISION**

Please forward this to the City Plan Board, Dept. Community Development

This is in reference to petition # 212LUC-98PB re: the Glikes property along Newberry Road between Westside Baptist and NW 44th Terrace.

I live in Holly Forest. My home is backed up to the berm that encircles that neighborhood along its western boundary.

I cannot attend the City Plan Board meeting on Thurs 20 May, but I want a chance to provide input.

I wouldn't mind development on the Glikes property if the following criteria are met:

1 - citizen/city planner/developer consensus on an "easement" = wooded buffer between the development and established homes in our neighborhood. it is possible a wall would be a good extra boundary around the actual development.

2 - The development should be consistent with other developments along that portion of Newberry Road. Detached homes, townhouses, and other similar residential formats would be acceptable. Single story offices would also be acceptable. APARTMENTS IN ANY WAY SHAPE OR FORM FOR STUDENTS WOULD BE UNACCEPTABLE. The traffic congestion along Newberry Road is never going to get better....but the high volume traffic associated with student apartments is inconsistent with the other types of residences and businesses along that portion of Newberry Road. There are other problems associated with putting students near residences.

NOTE: Please listen to the other city employees who have provided input about the quality of this piece of land...do not change the zoning without mitigating the problems these people have brought to the table for consideration.

3 - The development should attempt to blend with the environment that is there...a given.

Re: the possibility of a "nature park"

Hmm..interesting idea...but, as a teacher in this county I would prefer to see taxes coming from the property that would help provide and maintain city services as well as going to the schools of Alachua County.

But, I would accept the park if:

1 - it was accessible to the general public with a small car park and bike racks.

2 - there is a commitment to maintain its grounds. That would include trails, benches, etc. with areas where people are not welcome to tread. That would also include dealing with tree falls, fire, garbage, etc.

3 - there is no public restroom....unless it was the type of pit toilet put into the southside of the San Felasco Hammock.

4 - this is the biggie....it is purchased with grant money....and minimize the costs to taxpayers in the rest of the county.

Newberry Road is going to be developed, it will always have traffic problems. But, it would be wise to try and have new development occur in areas previously developed...such as the eyesore Scotty's further up the road from the Glikes property.

Either move ahead with "integrated" development that will have as small an impact on the established neighborhoods as is reasonably possible or find a way to let there be a park there with a small or nil cost to the taxpayers of the county. Please do not move against the wishes and suggestions City of Gainesville employees and the potentially affected neighbors.

Thank you,

Robert J. Howland  
510 S.W. 43rd Terrace  
G'ville, FL 32607



**From:** pameva <pameva@ufl.edu>  
**To:** mayor@ci.gainesville.fl.us <mayor@ci.gainesville.fl.us>  
**Cc:** commEJ@ci.gainesville.fl.us <commEJ@ci.gainesville.fl.us>;  
commJB@ci.gainesville.fl.us <commJB@ci.gainesville.fl.us>;  
commPH@ci.gainesville.fl.us <commPH@ci.gainesville.fl.us>;  
commBD@ci.gainesville.fl.us <commBD@ci.gainesville.fl.us>  
**Date:** Thursday, May 20, 1999 12:40 AM  
**Subject:** Development request at Thursday's meeting

RECEIVED  
MAY 20 1999  
PLANNING  
DIVISION

Wednesday, May 19, 1999

To Mayor Delaney and all City Commissioners:

This email is in regards to the proposed change of zoning for the 19 acres at Newberry and SW 44th Street from residential to commercial and the request by Mr. Emmer to develop the area with condos, office and retail space, including a restaurant. I implore you to consider this carefully and deny the request at your Thursday night meeting.

There has been a lot of talk about promoting infill development in order to decrease development on the outskirts of the city and lessen urban sprawl. I understand and agree with the strategy of slowing haphazard outward movement of houses and businesses. I don't wish to see farm and forest land outside the city disappear to subdivisions, shopping malls and office space. However, by filling up every bit of space within the city and not maintaining extensive natural areas and parks you are also driving many people out to the "country" in order to get away from the increasingly cement covered City of Gainesville.

Ms. Hanrahan, in the recent Sun article, said this piece of property was appropriate for infill development. I disagree:

1. If this property truly is ecologically sensitive, it may be hazardous with its sinkholes and water drainage issues to allow development.
2. Newberry Road is already heavily traveled and getting worse with development increasing further west.
3. Forty Third Street, with its own concurrency issues, meets Newberry at precisely the area under discussion. The traffic here can be quite heavy at times and will only increase when the Millennium Bank and medical arts project on the northeast corner is completed. Furthermore, the last parcel of land on the northwest corner of 43rd St. and Newberry is also up for sale. With all 3 areas at the Newberry/43rd St. intersection developed it will end up looking and sounding like NW 34th St. and University Ave. which is unpleasant and ugly at best.
4. The quiet and restful residential area behind the 19 acre parcel will likely completely lose its character and privacy it now enjoys. Plus, the residents still living along Newberry Rd. will find it increasingly difficult to get in and out of their driveways.

5/20/99

5. The large area at Newberry and SW 2nd Ave. being redeveloped with the new theatre complex has additional unused space which would be a desirable and much more appropriate area for a restaurant and retail space.

6. This property is unique in that it is a fairly large parcel of land within the city which can be maintained in its natural state allowing us to live more closely with some of the wildlife which enrich our lives. Development can be satisfied using smaller and less ecologically diverse areas. Our natural settings, however, cannot be restored.

7. With the distinct possibility of receiving state money for the purchase of this property in order to maintain it as a nature sanctuary, approving a zoning change with its subsequent development would be irresponsible and premature.

Please, I urge you to deny the request from Mr. Emmer for a zoning change and a proposed development in the 19 acres on Newberry Road now under consideration. Denying the request and then actively pursuing the purchase of this land by the city is the right thing to do. When I first moved to Gainesville, 1 year ago I stumbled upon the Hagtown Greenway and Green acres nature sanctuary and was totally taken aback that this little bit of nature could be found within the city limits. I felt such a sense of freedom and nostalgia within this area. Please don't lose the chance to expand upon this most wonderful asset of natural greenspace.

Thank you,

Pam Zaber

825 NW 45<sup>th</sup> Terrace

Gainesville, Florida 32605

352-336-4340

Post-it® Fax Note		7671	Date	5/20/99	# of pages	2
To	Debbie West / Mary Beth		From	Caryn		
Co./Dept.			City	Mun's Office		
Phone #			Phone #			
Fax #	3259		Fax #	3290		

RECEIVED  
MAY 20 1999  
PLANNING  
DIVISION

3945 S.W. 3<sup>RD</sup> AVE  
Gainesville, Fl  
32607  
5-20-99

To City Plan Board, Gainesville  
Please accept this as a vote  
in opposition to petition 212 LUC 98PB.

Thank you,  
Charles E. Poundexter  
Fletcher Heights



**From:** Cindy Smith <ccsmith@ufl.edu>  
**To:** mimmsdl@ci.gainesville.fl.us <mimmsdl@ci.gainesville.fl.us>  
**Date:** Thursday, May 20, 1999 4:50 PM  
**Subject:** Fwd: Glikes property

---

>Date: Thu, 20 May 1999 15:01:33 -0400  
>To: [commdev@ci.gainesville.fl.us](mailto:commdev@ci.gainesville.fl.us); [clerks@ci.gainesville.fl.us](mailto:clerks@ci.gainesville.fl.us)  
>From: Cindy Smith <ccsmith@ufl.edu>  
>Subject: Glikes property

>  
>To the City of Gainesville Plan Board  
>Re: Glikes property development proposal

>  
>One of the strengths of the both the City of Gainesville and Alachua County comprehensive plans is the use of activity centers as designated areas for commercial development. These activity centers gather commercial development into a central core as an alternative to strip commercial development. As you are aware, before the comp plan adoption and in earlier times, many of Gainesville's city streets such as 13th St. and 6th St. were piecemealed into strip shopping and office.

>  
>Unfortunately, tonight's proposal to turn the residentially zoned Glikes property into commercial mixed use is a return to that negative strip commercial zoning paradigm. Even with buildings up on the street and apartments above, this proposal violates the city's comp plan and its stated commitment to keeping commercial activity within activity centers. Strip commercial development along the street here will invite intense traffic, noise and late night activity right next to a single family residential neighborhood--no matter who lives over the store. Ask the folks who live around the downtown activity center what it's like late-night downtown. How will this development affect the quality of life for the residents of this single family neighborhood sitting right next door? How will this development and subsequent commercial uses affect the health of the central city over the long term? Why would we want to add to commercial zoning here when there are empty store fronts right now between 13th street and downtown?

>  
>There are only two remaining areas of residential use left on University Avenue/Newberry Road between Newberry Square on the west and downtown to the east. They serve now as the only buffers to a completely commercially stripped street between I-75 and downtown. Suppose this proposal were east of the downtown activity center on University Avenue in the Duck Pond residential area or on NE 8th Avenue in the residential area? It is just as unjustified on the west side of town outside a designated activity center as it would be on the east.

>  
>If activity centers within the city are presently inappropriately sized, then let's commit to the holistic planning that decides what the optimum activity center sizes should be. But please don't piecemeal into strip commercial use--even with apartments above--one of the last two residential areas left between the mall and downtown. Designated activity centers are designed here and in other smart growth communities to serve as commercial cores, surrounded by choices in housing. Those choices can include higher

density near the activity center core and lower density further away.

>

>This project tears that planned community design apart. It violates the city's comp plan and it violates the concept of a livable community where neighbors need not feel threatened that the comp plan's land use designations are as ephemeral as a summer breeze--waiting for the first proposal for commercial use disguised as new urbanism. And it breaks the commitment to existing commercial activity centers like downtown that the city supports their economic viability. If our activity centers need adjusting in size, then let's plan them. But don't strip zone to commercial our central city streets. Please deny this development proposal.

>

>Scerely,

>Cindy Smith

>121 NW 28th Street

>

>

>

---

Cynthia C. Smith  
[ccsmith@ufl.edu](mailto:ccsmith@ufl.edu)

RECEIVED

MAY 24 1999

PLANNING  
DIVISION

3915 SW 3 Ave

Gainesville, Fl. 32607-2709

17 May 1999

City Plan Board

Dept. of Community Development - Rm. 5.12

Box 490

Gainesville, Fl. 32602

Re: petition # 212 LUC - 98 PB.

I agree with my neighborhood association's opposition to the Corner Development & proposal to build a commercial store, office building and rental apartments, particularly for student housing on the "Elksee" property. The adjacent property is a quiet, single-family neighborhood and we'd like to keep it that way.

Sincerely,

Ada R. Green

(Ada R. Green)

11 SW 43rd Terrace  
Gainesville, FL 32607-2284  
December 14, 1998

*Dean*

RECEIVED  
DEC 23 1993  
PLANNING  
DIVISION

Department of Community Development  
Planning Division  
306 NE 6th Avenue  
Gainesville, FL 32601

Re: Petition 212LUC-98-PB

We have seen the plans for the development promoted by Mr. Emmer, as agent for owners of 19 acres on the Newberry Road. We own two acres adjacent to this parcel on the south side, on which our home is located. The border between our land and the parcel under consideration is about 300 feet long. (Our land is in an area that has been known as Gwynn Oaks.)

We regard this proposal as seriously objectionable, for several reasons:

1. The region to the south of this area has been long established as Estate zoning, with one house per acre; the proposal would provide an excessively sudden change from this to a very high density, with no intermediate transition zone.
2. The established pattern of development in the Gwynn Oaks area is one-story houses. Allowing four-story buildings adjacent to such an area would be highly intrusive and would cause loss of privacy.
3. The presence of the proposed buildings would result in dumping a sharply increased amount of drainage water on the current residential area to the south. This area suffered some flooding from a hurricane in 1964 and from unusual weather in the summer of 1965. Comparatively minor flooding has occurred since; This inundated a portion of our property. It is likely that the increased dumping caused by this project would cause serious flood damage in this area. For this reason a study of the hydrological effects by the St. Johns Water Management District is essential before any development is approved.
4. There have been sinkholes in the area under consideration, indicating the need for a geological study also.

While we recognize that the owners of the property have some property rights to its use, we hold that these rights (like all rights in a democratic society) must be restricted to protect similar rights by others. This proposal fails this test.

Unfortunately, prior commitments prevent our being present at the December 17 meeting. We ask you to accept this expression of our concerns instead.

Sincerely,

*Barbara L. Reid*  
Barbara L. Reid (Mrs. Charles E.)

*Charles E. Reid*  
Charles E. Reid



Alice Clancy  
330 NW 45 St  
Gainesville, Fl. 32607

City of Gainesville  
Department of Community Development  
Planning Division  
306 NE 6th Av.  
Gainesville, Fl. 32601



Commissioner

Re: Petition 212 LUC -98PB--

I DO NOT wish the Comprehensive Plan 1991-2001 to be changed from SF(single-family, up to 8 units per acre) to PUD( planned use district) on 4 parcels to allow adult living facilities and office development. Located in the 4200 block of West University Avenue.

I would appreciate your vote to retain the present designated Single Family status.

Thank You

*Alice R. Clancy*  
Alice Clancy

Alice L. Raymond  
330 NW 45 St  
Gainesville, FL 32607  
Phone: 375-4882

December 8, 1998

City of Gainesville  
Department of Community Development  
Planning Division  
306NE 6th Av.  
Gainesville, FL 32601

Commissioner

Re: Petition 212 LUC -98PB--

I DO NOT wish the Comprehensive Plan 1991-2001 to be changed from SF(single-family, up to 8 units per acre) to PUD( planned use district) on 4 parcels to allow adult living facilities and office development Located in the 4200 block of West University Avenue.

I would appreciate your vote to retain the present designated Single Family status.

Thank You

*Alice L. Raymond*  
Alice L. Raymond



~~Alice L. Raymond~~  
~~330 NW 45 St~~  
~~Gainesville, FL 32607~~  
~~Phone: 375-4882~~

~~December 8, 1998~~

~~City of Gainesville~~  
~~Department of Community Development~~  
~~Planning Division~~  
~~306NE 6th Av.~~  
~~Gainesville FL 32601~~

~~Commissioner~~

Judith L. Raymond  
9210 SW 129 St  
Archer Fl. 32618  
Phone:495-1775

December 8, 1998

City of Gainesville  
Department of Community Development  
Planning Division  
306NE 6th Av.  
Gainesville, Fl. 32601

Commissioner

Re: Pctition 212 LUC -98PB-

I DO NOT wish the Comprehensive Plan 1991-2001 to be changed from SF(single-family, up to 8 units per acre) to PUD( planned use district) on 4 parcels to allow adult living facilities and office development. Located in the 4200 block of West University Avenue.

I would appreciate your vote to retain the present designated Single Family status.

This change would influence my mothers and my home at 330 NW45th St. Please vote NO CHANGE

Thank You

*Judith L. Raymond. / per Alice Raymond*  
Judith L. Raymond



